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THE

LAW REPORTS.

The Public General Statutes,

PASSED IN THE FOURTH AND FIFTH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH.

1914.

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OF

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3. An Act to provide for the better Protection of the Grey Seal. (*Grey Seals* (*Protection*).)

4. An Act to extend the privileges of the graduates of the University of Sheffield. (*Sheffield University.*)

5. An Act to amend the Ecclesiastical Commissioners (Superannuation) Act, 1865, and the Queen Anne's Bounty (Superannuation) Act, 1870. (*Superannuation* (*Ecclesiastical Commissioners and Queen Anne's Bounty*).)

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46. An Act to ensure the Purity of Milk Supplies and to regulate Dairies in Scotland, and for other purposes connected therewith. (*Milk and Dairies* (*Scotland*).)

47. An Act to consolidate the Law relating to Deeds of Arrangement. (*Deeds of Arrangement.*)

48. An Act to provide for the redemption and extinction of Casualties incident to Feus in Scotland. (*Feudal Casualties (Scotland).*)

49. An Act to make better provision with respect to the Sale of Milk and the Regulation of Dairies. (*Milk and Dairies.*)

50. An Act to make such amendments of the Law relating to Merchant Shipping as are necessary or expedient to give effect to an International Convention for the Safety of Life at Sea, signed in London on January the twentieth, nineteen hundred and fourteen, and for purposes incidental thereto. (*Merchant Shipping (Convention).*)

51. An Act to enable the Board of Trade during the present War to take possession of Foodstuffs unreasonably withheld. (*Unreasonable Withholding of Food Supplies.*)

52. An Act to give the Board of Agriculture and Fisheries in Agricultural Districts and the Local Government Board elsewhere powers with respect to Housing, and to make similar provision for Scotland. (*Housing (No. 2).*)

53. An Act to amend and extend the Law relating to the Appointment of Special Constables in Scotland. (*Special Constables (Scotland).*)

54. An Act to amend the Law relating to the Pay and Pensions of the Royal Irish Constabulary and Dublin Metropolitan Police and for other purposes in relation to those Forces. (*Constabulary and Police (Ireland).*)

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57. An Act to amend Part II. of the National Insurance Act, 1911. (*National Insurance (Part II. Amendment).*)

58. An Act to diminish the number of cases committed to prison, to amend the Law with respect to the treatment

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59. An Act to consolidate the Law relating to Bankruptcy. (*Bankruptcy.*)

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64. An Act to extend and amend section eight of the Customs and Inland Revenue Act, 1879. (*Customs* (*Exportation Prohibition*).)

65. An Act to give Powers in connection with the present War to obtain information as to Stocks of Articles of Commerce, and for enabling Possession to be taken of any such Articles unreasonably withheld. (*Articles of Commerce* (*Returns, &c.*).)

66. An Act to enable Certificated Teachers to reckon Service in connection with the present War as recorded Service for the purpose of the Acts relating to Elementary School Teachers' Superannuation. (*Elementary School Teachers* (*War Service Superannuation*).)

67. An Act to authorise an amendment of the Superannuation Scheme for Teachers in Scotland for the purpose of enabling service in connection with the present War to be reckoned as recorded service under the Scheme. (*Education* (*Scotland*) (*War Service Superannuation*).)

68. An Act to remove doubts as to the interpretation of the Education (Scotland) Act, 1908, in regard to the provision of meals for school children. (*Education* (*Scotland*) (*Provision of Meals*).)

69. An Act to amend the provisions of the Acts relating to the Police in Scotland during the continuance of the present War with respect to age at date of appointment to a police force. (*Police* (*Scotland*) (*Limit of Age*).)

70. An Act to extend to the Naval Forces the provisions of the Army Act relating to the Billeting and Impressment of Carriages, &c. in cases of emergency. (*Navy Billeting, &c.*)

71. An Act to extend the Housing (No. 2) Act, 1914, to Ireland. (*Housing (No. 2) (Amendment).*)

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73. An Act to amend the Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914. (*Patents, Designs, and Trade Marks Temporary Rules (Amendment).*)

74. An Act to amend the Law relating to the Adjustment of Financial Relations between Local Government Areas in Scotland on the alteration of the Boundaries thereof. (*Local Government (Adjustments) (Scotland).*)

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76. An Act to extend and vary as respects the present War the relief from Death Duties given under section fourteen of the Finance Act, 1900. (*Death Duties (Killed in War).*)

77. An Act to enable orders to be made in connection with the present War for restricting the sale or consumption of intoxicating liquor. (*Intoxicating Liquor (Temporary Restriction).*)

78. An Act to give, in connexion with the present War, further powers to Courts in relation to the remedies for the recovery of money, and in relation to other similar matters. (*Courts (Emergency Powers).*)

79. An Act to provide for the exercise of Prize Jurisdiction by certain British Courts in Egypt, Zanzibar, and Cyprus, in respect of the present War. (*Prize Courts (Egypt, Zanzibar, and Cyprus).*)

80. An Act to amend the Police Reservists (Allowances) Act, 1914, and to extend the provisions of that Act and certain other enactments relating to police reservists to certain constables not being reservists. (*Police Constables (Naval and Military Service).*)

81. An Act to amend section forty-six of the National Insurance Act, 1911, as respects certain officers, warrant officers, and soldiers. (*National Insurance (Navy and Army).*)

82. An Act to make provision in connection with the present war with respect to Bills of Exchange payable outside the British Islands. (*Bills of Exchange.*)

83. An Act to enable the Army Council to fix the mode of payment of Military Pensions. (*Army Pensions.*)

84. An Act to make provision with respect to Constables of the Royal Irish Constabulary and Dublin Metropolitan Police who are Reservists or join the Naval or Military Forces. (*Irish Police Constables (Naval and Military Service).*)

85. An Act to extend the time within which proceedings may be taken for the recovery of Rates. (*Rates (Proceedings for Recovery).*)

86. An Act to amend the Superannuation Acts, 1834 to 1909. (*Superannuation.*)

87. An Act to make provision with respect to penalties for Trading with the Enemy, and other purposes connected therewith. (*Trading with the Enemy.*)

88. An Act to suspend the operation of the Government of Ireland Act, 1914, and the Welsh Church Act, 1914. (*Suspensory.*)

89. An Act to prevent the Disposal or Pledging of Certificates, Naval Uniforms, or other property, and for purposes connected therewith. (*Navy (Pledging of Certificates, &c.).*)

90. An Act to amend the provision for the Government of Ireland. (*Government of Ireland.*)

91. An Act to terminate the establishment of the Church of England in Wales and Monmouthshire, and to make provision in respect of the Temporalities thereof, and for other purposes in connection with the matters aforesaid. (*Welsh Church.*)

THE

PUBLIC GENERAL STATUTES

4 & 5 GEORGE 5.

CHAPTER 1.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and fourteen and one thousand nine hundred and fifteen.

[31st March 1914.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 2,792,053*l.* out of the Consolidated Fund for the service of the year ending 31st March 1914.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and fourteen, the sum of two million seven hundred and ninety-two thousand and fifty-three pounds.

Issue of 65,645,500*l.* out of the Consolidated Fund for the service of the year ending 31st March 1915.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and fifteen, the sum of sixty-five million six hundred and forty-five thousand five hundred pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole sixty-eight million four hundred and thirty-seven thousand five hundred and fifty-three pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of

March one thousand nine hundred and fifteen, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1914.

CHAPTER 2.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.

[30th April 1914.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of one hundred and eighty-six thousand four hundred including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within

this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

And whereas the Army Act will expire in the year one thousand nine hundred and fourteen on the following days:— 44 & 45 Vict. c. 58.

(*a*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Army (Annual) Act, 1914. Short title.

2.—(1) The Army Act shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament (that is to say):— Army Act to be in force for specified times.

(*a*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and fourteen to the thirtieth day of April one thousand nine hundred and fifteen, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July one thousand nine hundred and fourteen to the thirty-first day of July one thousand nine hundred and fifteen, both inclusive.

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the Schedule to this Act. Prices in respect of billeting.

AMENDMENTS OF THE ARMY ACT.

Amendment of s. 115 of the Army Act relating to the impressment of carriages and horses.

4. In section one hundred and fifteen of the Army Act, which relates to the impressment of carriages and horses, the following subsection shall be inserted after subsection (3):—

(3A) A requisition of emergency may authorise any officer mentioned therein to require any carriages and horses furnished in pursuance of this section to be delivered at such place (not being more than one hundred miles in the case of a motor car or other locomotive, and not being more than ten miles in the case of any other carriage or horse, from the premises of the owner) and at such time as may be specified by any officer mentioned in the requisition, and in such case it shall be the duty of a constable executing a warrant issued by a justice of the peace under this section upon the demand of an officer producing the requisition of emergency to insert in his order such time and place for delivery of any vehicle or horse to which the order relates as may be specified by such officer, and the obligation of owners to furnish carriages and horses shall include an obligation to deliver the carriages and horses at such place and time as may be specified in such order, and the provisions of this Act shall have effect as if references therein to the furnishing of carriages and horses included, as respects any such carriage or horse as aforesaid, delivery at such time and place as aforesaid.

Amendment of s. 145 of the Army Act.

5. In paragraph (*b*) of subsection (2) of section one hundred and forty-five of the Army Act, which relates to the liability of a soldier of the regular forces to have deductions made from his pay on account of his wife or any of his legitimate children under fourteen years of age whom he has deserted or left in destitute circumstances without reasonable cause, for the words "under fourteen years of age" there shall be substituted the words "under sixteen years of age."

Amendment of s. 179 (15) of the Army Act.

6. In paragraph (15) of section one hundred and seventy-nine of the Army Act, which relates to the application of naval discipline to the Royal Marines, for the words "otherwise than for service on shore" there shall be substituted the words "unless made subject to military law as hereinafter provided."

Amendment of s. 180 of the Army Act.

7. In subsection (2) of section one hundred and eighty of the Army Act, which relates to the application of that Act to His Majesty's Indian Forces, the following paragraph shall be inserted after paragraph (*d*):—

(*e*) A court martial may sentence an officer of the Indian Forces to forfeit all or any part of his service for the purposes of promotion.

SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Sixpence per night.
Breakfast as specified in Part I. of the Second Schedule to the Army Act.	Fivepence each.
Dinner as so specified - - - - - -	One shilling and one penny each.
Supper as so specified - - - - - -	Threepence each.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Sixpence per day.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Stable room without forage - - - -	Sixpence per day.
Lodging and attendance for officer - - -	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 3.

An Act to provide for the better Protection of the Grey Seal. [8th July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Close time for grey seals.

1.—(1) If any person between the first day of October and the fifteenth day of December in the same year knowingly or with intent kills, wounds, or takes by any means a grey seal (halichoerus grypus), he shall, on conviction under the Summary Jurisdiction Acts, be liable in respect of each offence to a fine not exceeding five pounds.

(2) If any person being the owner of a boat knowingly uses or permits his boat to be used for the purpose of killing, wounding, or taking a grey seal, he shall, on conviction under the Summary Jurisdiction Acts, be liable in respect of each offence to a fine not exceeding ten pounds.

Duration of Act.

2. This Act shall continue in force until the thirty-first day of December one thousand nine hundred and eighteen, and no longer, unless Parliament otherwise determines.

Short title.

3. This Act may be cited as the Grey Seals Protection Act, 1914.

CHAPTER 4.

An Act to extend the privileges of the graduates of the University of Sheffield. [31st July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of privileges of graduates of Sheffield University.

1. Wherever any office is or shall be open to graduates of the Universities of Oxford, Cambridge, and London, the Victoria University of Manchester, the University of Liverpool, and the University of Leeds, or wherever any privilege or exemption has been or shall be given by any Act of Parliament or regulation of any public authority to graduates of the Universities of Oxford, Cambridge, and London, the Victoria University of Manchester, the University of Liverpool, and the University of Leeds, graduates of the University of Sheffield, having the degree which would be a qualification if it had been granted by the University of Oxford, Cambridge, or London, the Victoria University of Manchester, the University of Liverpool, or the University of Leeds, may become candidates for and may hold any such office, and shall be entitled to all such privileges, as fully as graduates of any of the last-mentioned universities.

Short title

2. This Act may be cited as the Sheffield University Act, 1914.

CHAPTER 5.

An Act to amend the Ecclesiastical Commissioners (Superannuation) Act, 1865, and the Queen Anne's Bounty (Superannuation) Act, 1870. [31st July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Superannuation allowances and additional allowances to future officers and clerks.

1.—(1) The proportion of the annual salary and emoluments on which the scale of the superannuation allowances to be granted to officers and clerks of the Ecclesiastical Commissioners and the Governors of the Bounty of Queen Anne is to be calculated shall, in the case of officers and clerks who first enter the service of the Ecclesiastical Commissioners or of the said Governors in an established capacity after the passing of this Act, be one-eightieth instead of one-sixtieth, and accordingly section one of the Ecclesiastical Commissioners (Superannuation) Act, 1865, and section one of the Queen Anne's Bounty (Superannuation) Act, 1870, shall, as respects such officers and clerks,

28 & 29 Vict. c. 68.
33 & 34 Vict. c. 89.

have effect respectively as if for the words "sixtieth" and "sixtieths," wherever they occur, there were substituted the words "eightieth" and "eightieths."

(2) The Ecclesiastical Commissioners and the said Governors may grant, by way of additional allowance, to any such officer or clerk who retires after having served for not less than two years, in addition to the superannuation allowance (if any) to which he may become entitled, or the gratuity (if any) which may be granted to him under section two of the Ecclesiastical Commissioners (Superannuation) Act, 1865, or section two of the Queen Anne's Bounty (Superannuation) Act, 1870, a lump sum equal to one-thirtieth of the annual salary and emoluments of his office multiplied by the number of completed years he has served, so, however, that the additional allowance shall in no case exceed one and a half times the amount of such salary and emoluments: Provided that, if any such officer or clerk retires from the service of the Ecclesiastical Commissioners or of the said Governors after attaining the age of sixty-five years, there shall be deducted from the amount of the additional allowance, which would otherwise be payable to him, one-twentieth of that amount for every completed year he has served after attaining that age.

Gratuity in case of death of future officers and clerks.

2.—(1) Where any such officer or clerk who enters the service of the Ecclesiastical Commissioners or the said Governors in an established capacity after the passing of this Act dies after he has served five years or upwards whilst still employed in such service, the Ecclesiastical Commissioners or the said Governors, as the case may be, may grant to his legal personal representatives a gratuity equal to the annual salary and emoluments of his office: Provided that, if he dies after attaining the age of sixty-five years, the amount of the gratuity which may be so granted shall be reduced by one-twentieth of that amount for every completed year he has served after attaining that age.

(2) Where any such officer or clerk, having become entitled to a superannuation allowance, dies after he has retired from the service of the Ecclesiastical Commissioners or the said Governors, and the sums actually received by him at the time of his death on account of such superannuation allowance, together with the sum received by him by way of additional allowance, are less than the amount of the annual salary and emoluments of his office, the Ecclesiastical Commissioners or the said Governors, as the case may be, may grant to his legal personal representatives a gratuity equal to the deficiency.

Application to existing officers and clerks.

3.—(1) Subject to regulations to be made by the Ecclesiastical Commissioners and the said Governors respectively they may allow any officer or clerk who has entered their service in an established capacity before the passing of this Act to adopt the provisions of this Act and in such case there may be granted to him or his legal personal representatives

such superannuation and other allowances and gratuity as might have been granted had he entered their service after the passing of this Act except that the amount of the additional allowance payable on retirement shall be increased by one-half per cent. in respect of each completed year he had served in an established capacity at the passing of this Act.

(2) Nothing in this Act shall affect the right to superannuation allowance or gratuity of any officer or clerk who has entered the service of the Ecclesiastical Commissioners or the said Governors in an established capacity before the passing of this Act and who does not adopt the provisions of this Act.

Reckoning of service in temporary capacity or in permanent Civil Service.

4. In the case of a person who immediately before the commencement of his service in an established capacity within the meaning of the Ecclesiastical Commissioners Superannuation) Act, 1865, or the Queen Anne's Bounty (Superannuation) Act, 1870, is serving the Ecclesiastical Commissioners or the said Governors, as the case may be, in a temporary capacity or is serving in an established capacity in the permanent Civil Service of the State, the Ecclesiastical Commissioners or the said Governors may, if in their opinion any special circumstances of the case warrant such a course, direct that his service in that capacity may be reckoned for the purpose of superannuation allowance, additional allowance, or gratuity, and, subject to the approval of the Treasury, it shall be reckoned accordingly.

Superannuation allowances, &c. not to be granted on advanced amount of salary received for less than three years.

5. The superannuation allowance, additional allowance, or gratuity to be granted to any officer or clerk of the Ecclesiastical Commissioners after the passing of this Act shall not be computed upon the amount of the salary enjoyed by him at the time of his retirement, unless he shall have been in the receipt of the same or in the class from which he retires for a period of at least three years immediately before the granting of such superannuation allowance, additional allowance, or gratuity, and, in case he shall not have enjoyed his then existing salary or have been in such class for that period, such superannuation allowance, additional allowance, or gratuity shall be calculated upon the average amount of salary received by such officer or clerk for three years next preceding the commencement of such allowance:

Provided always that, where an officer or clerk of the Ecclesiastical Commissioners or of the said Governors has during the period of three years immediately preceding his retirement mentioned in this section and in section six of the Queen Anne's Bounty (Superannuation) Act, 1870, respectively received an increase of salary or entered the class from which he retired, the superannuation allowance, additional allowance, or gratuity to be granted to him, or his legal personal representatives, shall not, by reason of the said respective sections, be reduced below the amount which might have been granted if he

had continued in receipt of the salary which he was receiving and in the class in which he was serving immediately before the time of such increase or, as the case may be, the time when he entered the class from which he so retires.

Method of calculating allowances.

6. Subject to the provisions of this Act, the provisions of the Ecclesiastical Commissioners (Superannuation) Act, 1865, and the Queen Anne's Bounty (Superannuation) Act, 1870, with respect to the qualifications for obtaining superannuation allowances and gratuities, and to the manner of reckoning years of service, and amount of annual salary and emoluments, and to the diminution of superannuation allowances, and to the approval by the Treasury of all grants of superannuation allowances, and gratuities, and to the determination of questions by the Treasury, shall apply in respect of additional allowances and gratuities under this Act in like manner as they apply in respect of superannuation allowances and gratuities under those Acts respectively.

Distribution of money not exceeding 100*l.* without probate.

7. On the death of any person to whom any sum not exceeding one hundred pounds is due from the Ecclesiastical Commissioners or the said Governors in respect of any salary, superannuation, or other allowance or gratuity then subject to regulations (if any) to be made by the Ecclesiastical Commissioners and the said Governors respectively, probate or other proof of the title of the personal representatives of the deceased person may be dispensed with, and the said sum may be paid to or distributed among the persons appearing to the Ecclesiastical Commissioners or the said Governors, as the case may be, to be beneficially entitled to the personal estate of the deceased person or to or among any one or more of such persons, and the Ecclesiastical Commissioners or the said Governors shall be discharged from all liability in respect of any such payment or distribution. Any gratuity granted to the legal personal representatives of a deceased officer or clerk under section two or section three of this Act shall, for the purposes of this section, be deemed to be a sum due to such officer or clerk.

Short title and construction.

8. This Act may be cited as the Superannuation (Ecclesiastical Commissioners and Queen Anne's Bounty) Act, 1914, and shall be read as one with the Ecclesiastical Commissioners (Superannuation) Act, 1865, and with the Queen Anne's Bounty (Superannuation) Act, 1870.

CHAPTER 6.

An Act to amend the Law relating to the Collection and Recovery of Moneys due under Affiliation Orders and for other purposes connected therewith.

[31st July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Appointment and duties of collecting officer in respect of affiliation orders.

1.—(1) There shall be appointed by the justices of each petty sessional division or borough for the purposes of this Act an officer of the court who shall carry out the duties of the collecting officer under this Act.

(2) Where the justices make an affiliation order, they shall, unless upon representations expressly made in that behalf by the applicant for the affiliation order they are satisfied that it is undesirable so to do, provide in the order that all payments thereunder shall be made to the collecting officer of the court, and, if the order so provides, all payments under the order shall be made to the collecting officer and not otherwise.

(3) It shall be the duty of the collecting officer to receive all such payments as may be directed to be made to him under this Act and to pay forthwith to the mother of the bastard child, or to such other person as is named in the affiliation order, the sum directed to be paid under the order, or such part thereof as he receives, without making any deduction therefrom, and, where any such payment or any part thereof is in arrear for seven days, the collecting officer shall give notice in writing to the person who is entitled under the affiliation order to receive that payment, stating the particulars of the arrears. Nothing in this Act shall affect the right of the mother or other person entitled to recover payments under the affiliation order to proceed against the putative father of the child to enforce payment of any sum due to such person, but, on the request in writing of the mother or other person entitled to recover payments under the affiliation order, it shall be lawful for the collecting officer to proceed in his name as such officer on behalf of the mother or such other person against the putative father for the recovery of payments under the affiliation order, and in any such case the liability of the person on whose behalf the proceedings are taken for all costs properly incurred in or about the proceedings shall be the same as if the proceedings had been taken by that person.

(4) Where an affiliation order has been made before the commencement of this Act, a court of summary jurisdiction may, in accordance with rules to be made under this Act, if it thinks fit, direct that all payments becoming due under such order shall be made to the collecting officer, and, where the court

directs the payments to be so made, the provisions of this section shall apply as if the affiliation order had been made after the commencement of this Act.

(5) Where a court of summary jurisdiction makes an order for the periodical payment of money through an officer of the court, the authority, having the control of the fund out of which the salary of the clerk of that court is paid, may pay to that officer out of that fund, in manner provided by rules made by the Secretary of State, a sum not exceeding five pounds per centum on the money actually paid through him in pursuance of the order, as remuneration to him in respect of the work done and expenses incurred by him in respect of the order.

(6) A provision in an affiliation order under this section with respect to the person to whom the payments under the affiliation order are to be made may, after complaint made at any time, be varied by a court of summary jurisdiction if good cause is shown by the person on whose application the affiliation order was made.

Attachment of pension or income.

2. When an affiliation order has been made, either before or after the commencement of this Act, the justices who made the order or any court of summary jurisdiction may, in any case where there is any pension or income payable to the person on whom the affiliation order has been made and capable of being attached, after giving the person to whom the pension or income is payable an opportunity of being heard, and provided that the court or justices, as the case may be, are satisfied that such person has, without reasonable cause, made a default under the order, order that such an amount each week as is specified in the affiliation order or any part of such amount be attached and be paid to the person named by the court. Such order shall be an authority to the person by whom such pension or income is payable to make the payment so ordered, and the receipt of the person to whom the payment is ordered to be made shall be a good discharge to such first-named person.

Payment under affiliation order to person having custody of child.

3. Notwithstanding anything in this or any other Act, an affiliation order may, on the application of the person for the time being having the custody of the child either legally or by any arrangement approved by the court, be made or varied by a court of summary jurisdiction so as to provide that the payments to be made thereunder shall be made to that person.

Notice of change of address.

4. The person on whom an affiliation order has been made shall, if he changes his address, give notice thereof to the collecting officer, if payment has been ordered to be made to him, and, if he fails to do so without reasonable excuse, he shall be liable on summary conviction to a fine not exceeding two pounds.

Amendments of law as to period between service of

5. In section three of the Bastardy Laws Amendment Act, 1872, the words "upon a day specified in such summons" shall be substituted for the words "after the expiration of six days

summons and hearing. 35 & 36 Vict. c. 65. 36 & 37 Vict. c. 9.

at least"; in section four of the same Act and in section five of the Bastardy Laws Amendment Act, 1873, the words "a reasonable time" shall be substituted for the words "six days at least."

New or altered form of proceedings.

6.—(1) The Local Government Board may issue such new or altered forms of proceedings in matters of bastardy as they shall deem necessary or expedient for giving effect to the existing Acts relating to such proceedings as amended by this Act.

(2) The power given to the Lord Chancellor to make Rules under the Summary Jurisdiction Acts shall include a power to make Rules for the purpose of carrying this Act into effect and for dealing with costs, fees, and expenses.

Definition.

7. In this Act, unless the context otherwise requires, the expression "affiliation order" means an order made under the Bastardy Laws Amendment Act, 1872, or any Act amending the same, adjudging a man to be the putative father of a bastard child and ordering him to pay a sum of money weekly or otherwise to the mother of the bastard child or to any other person who is named in the order.

Extent of Act.

8. This Act shall not apply to Scotland or Ireland.

Short title.

9. This Act may be cited as the Affiliation Orders Act, 1914.

CHAPTER 7.

See The Agricultural Land Sales (Restriction of Notices to Quit) Act 1919 and the Agricultural Holdings Act 1923 s. 26

An Act to extend the provisions of section eleven of the Agricultural Holdings Act, 1908, to the determination of tenancies in connection with the sale of holdings. [31st July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Compensation for disturbance in connection with sale.

Bradshaw v Bird 1920 3 K. B. 144

1.—(1) Notwithstanding any agreement to the contrary, where the tenancy of a holding is terminated after the passing of this Act by notice to quit given after that date—

(*a*) in view of the sale or offering for sale of the holding or any part thereof; or

(*b*) by or at the request of the purchaser of the holding before the expiration of one calendar year after completion of the purchase of the holding for any reason other than the wrongful act or default of the tenant in relation to the holding;

the tenant shall be entitled to recover compensation in terms of, and subject to the provisions of, section eleven of the

Agricultural Holdings Act, 1908, except that the notice by the tenant of his intention to claim compensation required by that section may be given at any time not less than two months before the determination of the tenancy. 8 Edw. 7. c. 28

(2) Compensation under this section shall not be payable in any case to which the Small Holdings Act, 1910, applies.

(3) In the event of any difference arising as to any matter under this section the difference shall, in default of agreement, be settled by arbitration. 10 Edw. 7. & 1 Geo. 5. c. 34.

2. This Act may be cited as the Agricultural Holdings Act, 1914, and shall be construed as one with the Agricultural Holdings Act, 1908 and 1913, and those Acts and this Act may be cited together as the Agricultural Holdings Acts, 1908 to 1914. Short title and construction. 8 Edw. 7. c. 28. 2 & 3 Geo. 5. c. 21.

CHAPTER 8.

An Act to facilitate the grant to members of the Constabulary in Scotland of one day's rest off duty in every seven. [31st July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The police authority of any county or burgh or police burgh in Scotland in which this Act is for the time being in force shall, subject as herein-after provided, make such arrangements as to the hours of duty of constables that every constable (not being above the rank of inspector) shall be allowed at least fifty-two days in a year on which he is not required to perform police duty, save on occasions of emergency, and for such days being distributed throughout the year with the object of securing, so far as practicable, to every such constable one day's rest in every seven. No constable to be on duty more than six days in any week.

(2) This Act shall not come into force in any police area until such date as may be fixed by the police authority: Provided that—

(*a*) in the case of the police authority of any burgh or police burgh which had, according to the census of the year nineteen hundred and eleven, a population of or exceeding ten thousand, this Act shall come into force as respects that authority at the expiration of four years from the passing of this Act if it has not come into force at an earlier date, and, in the case of the police authority of any burgh or police burgh which shall come to have according to any future census a population of or exceeding ten thousand, this Act shall come into force as respects that authority at

the expiration of two years from the census day of such census if it has not come into force at an earlier date; and

(*b*) the police authority of any county may, in fixing a date when this Act is to come into force as respects such authority, exclude from the operation of this Act any part or parts of the police area of such authority, and may subsequently vary or remove such exclusion.

Short title. 53 & 54 Vict. c. 67.

2. This Act may be cited as the Police (Weekly Rest-Day) (Scotland) Act, 1914, and shall be construed with the Police (Scotland) Act, 1890.

CHAPTER 9.

An Act to amend the Schedule to the Government of the Soudan Loan Act, 1913. [31st July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of schedule. 3 & 4 Geo. 5. c. 10.

1. The Government of the Soudan Loan Act, 1913, shall have effect as if the schedule to this Act were substituted for the schedule to that Act defining the purposes for which the loan authorised to be guaranteed under that Act is applicable.

Short title.

2. This Act may be cited as the Government of the Soudan Loan Act, 1914, and the Government of the Soudan Loan Act, 1913, and this Act may be cited together as the Government of the Soudan Loan Acts, 1913 and 1914.

SCHEDULE.

	£
I. Works for the purpose of irrigating the Gezireh Plain	2,000,000
II. Extension of the Soudan Railway System - - -	800,000
III. Other irrigation works and contingencies - - -	200,000
	3,000,000

CHAPTER 10.

An Act to continue the Duty of Customs on Tea, to re-impose Income Tax and Super-Tax, with amendments and modifications, and to amend the Law relating to Death Duties and the National Debt, and for purposes incidental thereto. [31st July 1914.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Customs.

Duty on tea. 3 & 4 Geo. 5. c. 30.

1. The duty of Customs payable on tea until the first day of July, nineteen hundred and fourteen, under the Finance Act, 1913, shall continue to be charged, levied, and paid until the first day of July nineteen hundred and fifteen, on the importation thereof into Great Britain or Ireland (that is to say):—

Tea, the pound - - - - fivepence.

Part II.

Income Tax.

Income tax for 1914–15.

2.—(1) Income tax for the year beginning on the sixth day of April, nineteen hundred and fourteen, shall be charged at the rate of one shilling and threepence.

(2) All such enactments relating to income tax as were in force with respect to duties of income tax granted for the year beginning on the sixth day of April, nineteen hundred and thirteen, shall have full force and effect with respect to any duties of income tax hereby granted.

(3) The annual value of any property which has been adopted for the purpose either of income tax under Schedules A. and B. in the Income Tax Act, 1853, or of inhabited house duty, for the year ending on the fifth day of April, nineteen hundred and fourteen, shall be taken as the annual value of such

16 & 17 Vict. c. 34.

property for the same purpose for the next subsequent year; provided that this subsection—

(*a*) so far as respects the duty on inhabited houses in Scotland, shall be construed with the substitution of the twenty-fourth day of May for the fifth day of April; and

(*b*) shall not apply to the metropolis as defined by the Valuation (Metropolis) Act, 1869.

32 & 33 Vict. c. 67.

Super-tax for 1914-15.

3.—(1) In addition to the income tax charged at the rate of one shilling and threepence under this Act there shall be charged, levied, and paid for the year beginning on the sixth day of April, nineteen hundred and fourteen, in respect of the income of any individual, the total of which from all sources exceeds three thousand pounds, an additional duty of income tax (in this Act referred to as super-tax) at the following rates:—

In respect of the first two thousand five hundred pounds of the income - -	nil.
In respect of the excess over two thousand five hundred pounds—	
for every pound of the first five hundred pounds of the excess - -	fivepence
for every pound of the next one thousand pounds of the excess - -	sevenpence
for every pound of the next one thousand pounds of the excess - -	ninepence
for every pound of the next one thousand pounds of the excess - -	elevenpence
for every pound of the next one thousand pounds of the excess - -	one shilling and a penny
for every pound of the next one thousand pounds of the excess - -	one shilling and threepence
for every pound of the remainder of the excess - - - - - -	one shilling and fourpence.

(2) All such enactments relating to super-tax as were in force with respect to the super-tax granted for the year beginning on the sixth day of April, nineteen hundred and thirteen, shall have full force and effect with respect to the super-tax granted under this section:

Provided that in estimating total income for the purposes of super-tax for the year beginning the sixth day of April, nineteen hundred and fourteen, a deduction may be made (in addition to those authorised in paragraph (*a*) of subsection (2) of section sixty-six of the Finance (1909–10) Act, 1910) of any additional sum on which it is shown to the Commissioners of Inland Revenue that duty would have been repayable in respect of maintenance, repairs, insurance, and management if this Act had been in force during the year by reference to which the total income is estimated.

10 Edw. 7. c. 8.

Modification of relief given in respect of earned income. 7 Edw. 7. c. 13.

4.—(1) The following subsection shall be substituted for subsection (1) of section nineteen of the Finance Act, 1907 (which provides for the reduction of the income tax payable in respect of earned income), namely :—

"(1) Any individual who claims and proves in manner "provided by this section that his total income from all sources "does not exceed two thousand five hundred pounds, and that "any part of that income is earned income, shall be entitled, "subject to the provisions of this section, to such relief from "income tax as will reduce the amount payable on the earned "income to the amount which would be payable if the tax "were charged on that income at the rate of—

"ninepence if the total income does not exceed one thousand "pounds;

"tenpence halfpenny if the total income exceeds one thou- "sand pounds but does not exceed one thousand five "hundred pounds;

"one shilling if the total income exceeds one thousand five "hundred pounds but does not exceed two thousand "pounds;

"one shilling and twopence if the total income exceeds two "thousand pounds but does not exceed two thousand "five hundred pounds."

(2) Section sixty-seven of the Finance (1909–10) Act, 1910, shall cease to have effect.

Taxation of income in respect of foreign property. 5 & 6 Vict. c. 35.

5. Income tax in respect of income arising from securities, stocks, shares, or rents in any place out of the United Kingdom shall, notwithstanding anything in the rules under the fourth and fifth case in section one hundred of the Income Tax Act, 1842, be computed on the full amount of the income, whether the income has been or will be received in the United Kingdom or not, subject in the case of income not received in the United Kingdom to the same deductions and allowances as if it had been so received and to the deduction (where such a deduction cannot be made under any other provision of the Income Tax Acts) of any sum which shall have been paid in respect of income tax in the place where the income shall have arisen, and to a deduction on account of any annual interest or any annuity or other annual payment payable out of the income to a person not resident in the United Kingdom; and the provisions of the Income Tax Acts (including those relating to returns) shall apply accordingly, and nothing in those provisions as to the receipt of sums in the United Kingdom shall be construed so as to render liable under those rules to income tax for the current or any subsequent year any sums which represent—

Singer v Williams 1919 1 K.B. 432; 2 K.B. 94

(*a*) income from any such securities, stocks, shares, or rents, on which income tax has been paid under this section; or

(*b*) income from any such securities, stocks, shares, or rents which was paid or became due before the sixth day of April, nineteen hundred and fourteen :

Provided that this section shall not apply in the case of a person who satisfies the Commissioners of Inland Revenue that he is not domiciled in the United Kingdom, or that, being a British subject, he is not ordinarily resident in the United Kingdom.

Any person aggrieved by any decision of the Commisssioners of Inland Revenue, on a question of domicile or residence under this section, shall have the same right to require those Commissioners to state a case on the question as an appellant has to require the general or special Commissioners to state a case on a point of law, and section fifty-nine of the Taxes Management Act, 1880, and any rules made for the purposes of that section shall apply accordingly.

43 & 44 Vict. c. 19.

Relief of small incomes from increased tax.

6.—(1) If any individual who has been assessed or charged to income tax, or has paid income tax either by way of deduction or otherwise, claims and proves in manner prescribed by the Income Tax Acts that his total income from all sources does not exceed five hundred pounds, he shall be entitled to such relief from income tax as will reduce the amount of income tax on his income to the amount which would have been paid if the tax were charged on that income—

(*a*) at the rate of one shilling and twopence if his income exceeds three hundred pounds ; and

(*b*) at the rate of one shilling if his income does not exceed three hundred pounds.

(2) The relief given under this section shall be in addition to and not in derogation of any exemption, or other relief, or abatement under the Income Tax Acts, but where any such exemption, relief, or abatement is to be determined by reference to the amount of the income tax on any sum, the amount of the tax shall be calculated at the reduced rate.

(3) All the provisions of the Income Tax Acts which relate to claims for exemption, relief, or abatement, or the proof to be given with respect to those claims, shall apply to claims for relief under this section and the proof to be given with respect to those claims.

(4) An individual shall not be entitled to relief under this section in respect of any income the tax on which he is entitled to charge against any other person, or to deduct, retain, or satisfy out of any payment which he is liable to make to any other person.

Extension of relief in respect of children.

7. Section sixty-eight of the Finance (1909–10) Act, 1910 (which gives to individuals whose total income does not exceed five hundred pounds relief from income tax equal to the amount of tax on ten pounds in respect of every child under the age

of sixteen years), shall have effect as if twenty pounds were substituted for ten pounds.

Relief from income tax in respect of maintenance, &c. of land and houses.

8. The limit under section sixty-nine of the Finance (1909–10) Act, 1910, on the amount of duty which may be repaid on account of the maintenance, repairs, insurance, and management of land or houses shall be removed as respects income tax for the year beginning the sixth day of April, nineteen hundred and fourteen, and any subsequent year, and as respects that year and any subsequent year, twelve pounds shall be substituted for eight pounds in subsection (2) of the said section as the annual value limit for houses to which that section is applied.

Provisions with respect to income tax of married persons.

9.—(1) If an application is made for the purpose in such manner and form as may be prescribed by the Commissioners of Inland Revenue, either by a husband or wife, within six months before the sixth day of May in any income tax year—

(*a*) Income tax (including super-tax) for that year shall be assessed, charged, and recovered on the income of the husband and on the income of the wife as if they were not married, and all the provisions of the Income Tax Acts with respect to the assessment, charge, and recovery of income tax (including super-tax), and the penalties for failure to make a return, shall apply as if they were not married; and

(*b*) All the provisions of the Income Tax Acts which relate to claims for exemption, relief, or abatement, and the proof to be given with respect to those claims, shall also apply as if they were not married; and a claim under section five of the Finance Act, 1897 (which relates to the exemption of the income of a married woman in certain cases), may be made by the wife as well as by the husband; and

60 & 61 Vict. c. 24.

(*c*) The income of the husband and wife shall be treated as one in estimating the amount to be repaid or allowed in respect of any exemption, relief, or abatement which depends wholly or partially on total income, (except so far as otherwise required for the purpose of dealing with any claim for exemption, relief, or abatement under section five of the Finance Act, 1897), and the total amount of any exemption, relief, or abatement given in respect of the incomes of the husband and wife shall not exceed that which would have been given if an application had not been made under this section; and

(*d*) The benefit of any such exemption, relief, or abatement may be given either by way of reduction of assessment, or by repayment of any excess of tax which has been paid, or by both of those means, as the case requires, and shall, in the case of relief given

in respect of earned income (including any exemption, relief, or abatement given in respect of the profits of a wife from a business in pursuance of section five of the Finance Act, 1897), be given in proportion to the income earned respectively by the husband and the wife, in the case of relief given in respect of insurance premiums, be given to the husband or wife, as the case may be, by whom the premium is paid, and, in any other case, be given in proportion to the respective incomes of the husband and wife; and

(*e*) for the purpose of any exemption, relief, or abatement, a return may be made by the husband or the wife of the total income of the husband and wife, but if the Commissioners of Inland Revenue are not satisfied with such return they may obtain a return from the wife or husband, as the case may be; and

(*f*) the income of the husband and wife shall be treated as one in estimating total income for the purpose of super-tax, and the amount of super-tax payable in respect of the total income shall be divided between the husband and wife in proportion to their respective incomes, and the total amount payable shall not be less than it would have been if an application had not been made under this section.

(2) The Commissioners of Inland Revenue may require returns for the purposes of this section to be made at any time, and section fifty-five of the Income Tax Act, 1842, shall, with the necessary modifications, apply in the case of the refusal or neglect to make or wilful delay in making any such return.

5 & 6 Vict. c. 35.

(3) Where income tax (including super-tax) is charged on the profits or income of a married woman, in pursuance of this section, the power to distrain in the case of non-payment of any income tax payable by the wife shall extend to the goods and chattels of the husband as well as to the goods and chattels of the wife:

Provided that no distraint shall be so made on the goods and chattels of the husband unless a written demand for payment shall first have been made on the husband or left for him at his usual place of residence, and he shall have failed to pay the amount of tax payable by his wife within seven days of such demand.

1 & 2 Geo. 5. c. 2.

(4) Section eleven of the Revenue Act, 1911 (which relates to the assessment and recovery of part of the super-tax from the wife in certain cases) shall cease to have effect.

Provision as to partnership businesses carried on abroad.

10.—(1) Where any trade or business is carried on by two or more persons in partnership, and the control and management of such trade or business is situate abroad, the said trade or business shall be deemed to be carried on by persons

resident outside the United Kingdom and the said partnership shall be deemed to reside outside the United Kingdom, notwithstanding the fact that some of the members of the said partnership are resident in the United Kingdom and that some of the trading operations of the said partnership are conducted within the United Kingdom.

(2) Where any part of the trade or business of a partnership firm whose management and control is situate abroad consists of trading operations within the United Kingdom, the said firm shall be assessable in respect of the profits of such trading operations within the United Kingdom to the same extent as, and no further than, a person resident abroad is assessable in respect of trading operations by him within the United Kingdom, notwithstanding the fact that one or more of the members of the said firm are resident in the United Kingdom, provided that, for the purpose of assessing any such firm in respect of the profits of the said trading operations within the United Kingdom, an assessment may be made on the said firm in respect of the said profits in the name of any partner resident in the United Kingdom.

Residents abroad owning securities of foreign state or British possession.

11. The time limit imposed by subsection (2) of section seventy-one of the Finance (1909–10) Act, 1910, which grants relief to persons not resident in the United Kingdom in respect of income tax on the interest or dividends of any securities of a foreign state or British possession, shall be extended from six months to three years.

Part III.

Death Duties.

Amended rates of estate duty.

12. The scale set out in the First Schedule to this Act shall, in the case of persons dying after the fifteenth day of August, nineteen hundred and fourteen, be substituted for the scale of rates of estate duty set out in the Second Schedule to the Finance (1909–10) Act, 1910, as the scale of rates of estate duty.

Reduction of full amount of duty where the margin above the limit of value is small.

13.—(1) The amount of estate duty payable on an estate at the rate applicable thereto under the scale of rates of duty shall, where necessary, be reduced so as not to exceed the highest amount of duty which would be payable at the next lower rate, with the addition of the amount by which the value of the estate exceeds the value on which the highest amount of duty would be so payable at the lower rate.

(2) Where the net value of the property real and personal in respect of which estate duty is payable on the death of the deceased, exclusive of property settled otherwise than by the will of the deceased, exceeds one thousand pounds, the amount of legacy and succession duty payable in respect of the property shall not exceed the amount by which the net value of the

property as estimated for the purposes of estate duty exceeds one thousand pounds.

Abolition of settlement estate duty and of relief in respect of settled property.
57 & 58 Vict. c. 30.

14. Any relief from the payment of estate duty given by subsection (2) of section five, or by subsection (1) of section twenty-one of the Finance Act, 1894 (which relate to settled property), or by subsection (16) of section twenty-three of that Act (which relates to entailed estates in Scotland) shall cease in the case of any person dying after the fifteenth day of August, nineteen hundred and fourteen, and settlement estate duty shall not be levied in the case of persons dying after the eleventh day of May, nineteen hundred and fourteen:

Provided that—

(*a*) nothing in this section shall affect the relief given by the above-mentioned provisions of the Finance Act, 1894, in cases where, before or after the passing of this Act, estate duty has been paid or any of the duties specified in subsection (1) of section twenty-one of that Act have, either before or after the passing of this Act, been paid or are payable upon the death of one of the parties to a marriage, so far as respects the payment of estate duty on the death of the other party to the marriage; and

(*b*) on the first occasion on which estate duty becomes payable in respect of any property which would not have been payable but for this section, the amount of settlement estate duty, if any, which has been paid in respect of that property, shall be allowed against the amount of estate duty payable on that occasion, and if it exceeds that amount, the excess shall be repaid to the estate, and in addition, a sum equal to simple interest on the said amount of settlement estate duty calculated at the rate of three per cent. per annum from the fifteenth day of August, nineteen hundred and fourteen, up to the date of the occasion shall be paid to the several persons or their representatives who would have been entitled to the income arising from that amount, if that amount had on the fifteenth day of August, nineteen hundred and fourteen, been added to the capital of the settled property and shall be divided amongst those persons or their representatives according to the several interests they would have had in that income; and

63 & 64 Vict. c. 7.

(*c*) Section eleven of the Finance Act, 1900, as amended by section fifty-nine of the Finance (1909–10) Act, 1910, shall not operate on any such surrender, assurance, divesting, or disposition as is mentioned in the said section eleven made by any person between the fifteenth day of August, nineteen hundred and fourteen, and the first day of April,

nineteen hundred and fifteen, so as to make any estate duty payable on the death of that person which would not have been payable but for this section.

Relief in respect of quick succession where property consists of land or a business.

15. Where the Commissioners of Inland Revenue are satisfied that estate duty has become payable on any property consisting of land or a business (not being a business carried on by a company), or any interest in land or such a business, passing upon the death of any person, and that subsequently within five years estate duty has again become payable on the same property or any part thereof passing on the death of the person to whom the property passed on the first death, the amount of estate duty payable on the second death (if that death occurs after the passing of this Act) in respect of the property so passing shall be reduced as follows :—

Where the second death occurs within one year of the first death, by fifty per cent. ;

Where the second death occurs within two years of the first death, by forty per cent. ;

Where the second death occurs within three years of the first death, by thirty per cent. ;

Where the second death occurs within four years of the first death, by twenty per cent. ;

Where the second death occurs within five years of the first death, by ten per cent. :

Provided that where the value, on which the duty is payable, of the property on the second death exceeds the value, on which the duty was payable, of the property on the first death, the latter value shall be substituted for the former for the purpose of calculating the amount of duty on which the reduction under this section is to be calculated.

Protection of purchasers and mortgagees of interests in expectancy. 57 & 58 Vict. c. 30.

16. Where an interest in expectancy within the meaning of Part I. of the Finance Act, 1894, in any property has, before the eleventh day of May, nineteen hundred and fourteen, been bonâ fide sold or mortgaged for full consideration in money or money's worth, then no other duty on that property shall be payable by the purchaser or mortgagee when the interest falls into possession than would have been payable if this Part of this Act had not passed, and in the case of a mortgage any higher duty payable by the mortgagor shall rank as a charge subsequent to that of the mortgagee.

Part IV.

National Debt.

Reduction of permanent annual charge for current year. 38 & 39 Vict. c. 15. 10 Edw.7. c. 35.

17. The amount of the permanent annual charge for the National Debt under section one of the Sinking Fund Act, 1875, shall, during the current year, be the sum of twenty-three and a half million pounds instead of twenty-four and a half million pounds ; and section four of the Finance Act, 1910, shall have effect accordingly.

PART V.

MISCELLANEOUS.

Repeal, construction, and short title.

18.—(1) The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

39 & 40 Vict. c. 36.

(2) Part I. of this Act, so far as it relates to duties of Customs, shall be construed together with the Customs (Consolidation) Act, 1876, and any enactments amending that Act.

Part II. of this Act shall be construed together with the Income Tax Acts, 1842 to 1853, and any other enactments relating to income tax, and those enactments and Part II. of the Act are in this Act referred to as the Income Tax Acts.

Part III. of this Act shall be construed together with the Finance Act, 1894.

(3) This Act may be cited as the Finance Act, 1914.

The SCHEDULES above referred to.

Section 12.

FIRST SCHEDULE.

SCALE OF RATES OF ESTATE DUTY.

Where the Principal Value of the Estate								Estate Duty shall be payable at the Rate per Cent. of
	£			£				
Exceeds	100	and does not exceed		500	-	-		1
„	500	„	„	1,000	-	-		2
„	1,000	„	„	5,000	-	-		3
„	5,000	„	„	10,000	-	-		4
„	10,000	„	„	20,000	-	-		5
„	20,000	„	„	40,000	-	-		6
„	40,000	„	„	60,000	-	-		7
„	60,000	„	„	80,000	-	-		8
„	80,000	„	„	100,000	-	-		9
„	100,000	„	„	150,000	-	-		10
„	150,000	„	„	200,000	-	-		11
„	200,000	„	„	250,000	-	-		12
„	250,000	„	„	300,000	-	-		13
„	300,000	„	„	350,000	-	-		14
„	350,000	„	„	400,000	-	-		15
„	400,000	„	„	500,000	-	-		16
„	500,000	„	„	600,000	-	-		17
„	600,000	„	„	800,000	-	-		18
„	800,000	„	„	1,000,000	-	-		19
„	1,000,000	-	-	-	-	-	-	20

SECOND SCHEDULE.

Section 18.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Statutes repealed.
57 & 58 Vict. c. 30.	The Finance Act, 1894 -	Subsections (1) and (4) of section five; in section seventeen the words "the rate of the settlement estate duty where the property is settled shall be two per cent."; subsection (4) of section twenty-one.
10 Edw. 7. c. 8.	The Finance (1909–10) Act, 1910.	Section fifty-four and the Second Schedule as respects persons dying after the fifteenth day of August, one thousand nine hundred and fourteen; section sixty-seven; in subsection (1) of section sixty-nine the words "not exceeding in the case of land one-eighth and in the case of houses one-twelfth part of the duty on an amount equal to the annual value."
1 Geo. 5. c. 2.	The Revenue Act, 1911	Section eleven.

CHAPTER 11.

An Act to authorise His Majesty by Proclamation to suspend temporarily the payment of Bills of Exchange and payments in pursuance of other obligations.

[3rd August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to postpone payments by Royal Proclamation.

1.—(1) His Majesty may by Proclamation authorise the postponement of the payment of any bill of exchange, or of any negotiable instrument, or any other payment in pursuance of any contract, to such extent, for such time, and subject to such conditions or other provisions as may be specified in the Proclamation.

(2) No additional stamp duty shall be payable in respect of any instrument as a consequence of any postponement of

payment in pursuance of a proclamation under this Act unless the proclamation otherwise directs.

(3) Any such proclamation may be varied, extended, or revoked by any subsequent proclamation, and separate proclamations may be made dealing with separate subjects.

(4) The proclamation dated the third day of August, nineteen hundred and fourteen, relating to the postponement of payment of certain bills of exchange is hereby confirmed and shall be deemed to have been made under this Act.

Short title and duration.

2.—(1) This Act may be cited as the Postponement of Payments Act, 1914.

(2) This Act shall remain in force for a period of six months from the date of the passing thereof.

CHAPTER 12.

An Act to enable His Majesty in time of war or imminent national danger or great emergency by Order in Council to impose Restrictions on Aliens and make such provisions as appear necessary or expedient for carrying such restrictions into effect.

[5th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers with respect to aliens in case of national emergency.

1.—(1) His Majesty may at any time when a state of war exists between His Majesty and any foreign power, or when it appears that an occasion of imminent national danger or great emergency has arisen, by Order in Council impose restrictions on aliens, and provision may be made by the Order—

See The Aliens Restriction (Consolidation) Order 1914

(*a*) for prohibiting aliens from landing in the United Kingdom, either generally or at certain places, and for imposing restrictions or conditions on aliens landing or arriving at any port in the United Kingdom; and

(*b*) for prohibiting aliens from embarking in the United Kingdom, either generally or at certain places, and for imposing restrictions and conditions on aliens embarking or about to embark in the United Kingdom; and

(*c*) for the deportation of aliens from the United Kingdom; and

(*d*) for requiring aliens to reside and remain within certain places or districts; and

(*e*) for prohibiting aliens from residing or remaining in any areas specified in the Order; and

(*f*) for requiring aliens residing in the United Kingdom to comply with such provisions as to registration, change of abode, travelling, or otherwise as may be made by the Order; and

(*g*) for the appointment of officers to carry the Order into effect, and for conferring on such officers and on the Secretary of State such powers as may be necessary or expedient for the purposes of the Order; and

(*h*) for imposing penalties on persons who aid or abet any contravention of the Order, and for imposing such obligations and restrictions on masters of ships or any other persons specified in the Order as appear necessary or expedient for giving full effect to the Order; and

(*i*) for conferring upon such persons as may be specified in the Order such powers with respect to arrest, detention, search of premises or persons, and otherwise, as may be specified in the Order, and for any other ancillary matters for which it appears expedient to provide with a view to giving full effect to the Order; and

(*k*) for any other matters which appear necessary or expedient with a view to the safety of the realm.

(2) If any person acts in contravention of, or fails to comply with, any provisions of any such Order, he shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a term not exceeding six months, and the court before which he is convicted may, either in addition to, or in lieu of, any such punishment, require that person to enter into recognizances with or without sureties to comply with the provisions of the Order in Council or such provisions thereof as the court may direct.

If any person fails to comply with an order of the court requiring him to enter into recognizances the court, or any court of summary jurisdiction sitting for the same place, may order him to be imprisoned with or without hard labour for any term not exceeding six months.

(3) Any provision of any Order in Council made under this section with respect to aliens may relate either to aliens in general or to any class or description of aliens.

(4) If any question arises on any proceedings under any such Order, or with reference to anything done or proposed to be done under any such Order, whether any person is an alien or not, or is an alien of a particular class or not, the onus of proving that that person is not an alien, or, as the case may be, is not an alien of that class, shall lie upon that person.

(5) His Majesty may by Order in Council revoke, alter, or add to any Order in Council made under this section as occasion requires.

(6) Any powers given under this section, or under any Order in Council made under this section, shall be in addition to, and not in derogation of, any other powers with respect to the expulsion of aliens, or the prohibition of aliens from entering the United Kingdom or any other powers of His Majesty.

Short title and application.

2.—(1) This Act may be cited as the Aliens Restriction Act, 1914.

(2) In the application of this Act to Scotland the expressions "the court" and "any court of summary jurisdiction" mean the sheriff; and the expressions "enter into recognizances with or without sureties" and "enter into recognizances" mean "find caution."

CHAPTER 13.

An Act to amend the Law relating to Procedure in Prize Courts. [5th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Procedure in prize courts.

57 & 58 Vict. c. 39.

27 & 28 Vict. c. 25.

1.—(1) As from the date when rules under an Order in Council made after the passing of this Act in pursuance of section three of the Prize Courts Act, 1894, regulating the procedure and practice in prize courts, come into operation, such of the provisions of the Naval Prize Act, 1864, as are specified in the Schedule to this Act (being enactments relating to the practice and procedure in prize courts) shall be repealed:

Provided that nothing in such repeal shall have the effect of extending section sixteen of that Act to ships of war taken as prize, and accordingly that section shall have effect as if the following words were inserted therein:—"Nothing in this section shall apply to ships of war taken as prize."

(2) Any cause or proceeding commenced in any prize court before such rules as aforesaid come into operation as respects that court may, as the court directs, be either—

(*a*) recommenced and proceeded with in accordance with the said rules; or

(*b*) continued in accordance with the said rules subject to such adaptations as the court may deem necessary to make them applicable to the case; or

(*c*) continued to the determination thereof in accordance with the procedure applicable to the case at the commencement of the cause or proceeding.

2. This Act may be cited as the Prize Courts (Procedure) Act, 1914, and shall be construed as one with the Naval Prize Act, 1864; and that Act and the Prize Courts Act, 1894, and this Act may be cited together as the Naval Prize Acts, 1864 to 1914. Short title and construction.

SCHEDULE.

PROVISIONS OF NAVAL PRIZE ACT, 1864, REPEALED.

Sections 7 and 8, 18 to 29, 32, 33, and 36, and in section 41, the words "either by warrant of arrest against the ship or goods, or by "monition and attachment against the owner."

CHAPTER 14.

Amended by the Currency & Amendment Act 1914 (c. 72) post p. 385

An Act to authorise the issue of Currency Notes, and to make provision with respect to the Note Issue of Banks.

[6th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The Treasury may, subject to the provisions of this Act, issue currency notes for one pound and for ten shillings, and those notes shall be current in the United Kingdom in the same manner and to the same extent and as fully as sovereigns and half-sovereigns are current and shall be legal tender in the United Kingdom for the payment of any amount. One pound and ten shilling currency notes.

(2) Currency notes under this Act shall be in such form and of such design and printed from such plate and on such paper and be authenticated in such manner as may be directed by the Treasury.

(3) The holder of a currency note shall be entitled to obtain on demand, during office hours at the Bank of England, payment for the note at its face value in gold coin which is for the time being legal tender in the United Kingdom. Repealed by Gold Standard Act 1925 s. 1

(4) The Treasury may, subject to such conditions as to time, manner, and order of presentation as they think fit, call in any currency notes under this Act on paying for those notes at their face value in gold.

(5) Currency notes under this Act shall be deemed to be bank notes within the meaning of the Forgery Act, 1913, and any other enactment relating to offences in respect of bank notes which is for the time being in force in any part of the British 3 & 4 Geo. 5. c. 2.

Islands, and to be valuable securities within the meaning of the Larceny Act, 1861, and any other law relating to stealing which is for the time being in force in any part of the British Islands, and to be current coin of the realm for the purpose of the Acts relating to truck and any other like enactment.

24 & 25 Vict. c. 96.

(6) For the purpose of meeting immediate exigencies all postal orders issued either before or after the passing of this Act shall temporarily be current and legal tender in the United Kingdom in the same manner and to the same extent and as fully as current coins, and shall be legal tender in the United Kingdom for the payment of any amount.

The holder of any such postal order shall be entitled to obtain on demand, during office hours at the Bank of England, payment for the postal order at its face value in any coin which is for the time being legal tender in the United Kingdom for the amount of the note.

Provisoes (*b*) and (*c*) to subsection (1) of section twenty-four of the Post Office Act, 1908, shall not apply to any such postal orders.

8 Edw. 7. c. 48.

This subsection shall have effect only until His Majesty by proclamation revokes the same, and any proclamation revoking this subsection may provide for the calling in or exchange of any postal orders affected thereby.

Issue of currency notes.

2. Currency notes may be issued to such persons and in such manner as the Treasury direct, but the amount of any notes issued to any person shall, by virtue of this Act and without registration or further assurance, be a floating charge in priority to all other charges, whether under statute or otherwise, on the assets of that person.

Authority to issue bank notes beyond limit.

3. The governor and company of the Bank of England and any persons concerned in the management of any Scottish or Irish bank of issue may, so far as temporarily authorised by the Treasury and subject to any conditions attached to that authority, issue notes in excess of any limit fixed by law; and those persons are hereby indemnified, freed, and discharged from any liability, penal or civil, in respect of any issue of notes beyond the amount fixed by law which has been made by them since the first day of August nineteen hundred and fourteen in pursuance of any authority of the Treasury or of any letter from the Chancellor of the Exchequer, and any proceedings taken to enforce any such liability shall be void.

Power to make bank notes not otherwise legal tender legal tender in Scotland and Ireland.

4. Any bank notes issued by a bank of issue in Scotland or Ireland shall be legal tender for a payment of any amount in Scotland or Ireland respectively, and any such bank of issue shall not be under any obligation to pay its notes on demand except at the head office of the bank, and may pay its notes, if thought fit, in currency notes issued under this Act:

Provided that notes which are legal tender under this section shall not be legal tender for any payment by the head office of

the bank by whom they are issued for the purpose of the payment of notes issued by that bank.

This section shall have effect only until His Majesty by proclamation revokes the same, and any proclamation revoking this section may provide for the calling in or exchange of notes affected thereby.

Interpretation, short title, and extent.

5.—(1) In this Act, the expression "bank of issue" means any bank having power for the time being to issue bank notes.

(2) This Act may be cited as the Currency and Bank Notes Act, 1914.

(3) This Act shall apply to the Isle of Man as if it were part of the United Kingdom, but shall not apply to any other British possession.

CHAPTER 15.

An Act to amend the Diseases of Animals Act, 1910, in respect of the Exportation of Horses.

[7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendments of 10 Edw. 7. & 1 Geo. 5. c. 20.

1.—(1) The prohibition contained in section one of the Diseases of Animals Act, 1910, on shipping or attempting to ship unfit horses in certain cases, shall be extended so as to include any horse unless certified by a veterinary inspector in accordance with that section, to be capable of being worked without suffering, and accordingly subsection (1) of that section shall have effect as though after the word "cruelty" there were inserted the words "and to be capable of being worked without suffering."

(2) The said section one shall have effect as though the following subsection were substituted for subsection (2) thereof:—

> (2) If any horse examined under this Act is found by the veterinary inspector to be in such a physical condition that it is cruel to keep it alive or to be permanently incapable of being worked without suffering, the inspector may, whether the owner consents or not, slaughter it, or cause it to be slaughtered, in such a manner as to inflict as little suffering as possible.

Short title and commencement.

2.—(1) This Act may be cited as the Exportation of Horses Act, 1914; and the Diseases of Animals Acts, 1894 to 1911,

the Diseases of Animals Act, 1910, and this Act may be cited together as the Diseases of Animals Acts, 1894 to 1914.

(2) This Act shall come into operation on the first day of October, nineteen hundred and fourteen.

CHAPTER 16.

An Act to amend section sixty-four of the Trade Marks Act, 1905. [7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 5 Edw. 7. c. 15. s. 64.

1. Clause (*c*) of subsection (10) of section sixty-four of the Trade Marks Act, 1905, shall be and the same is hereby amended by insertion therein of the words "in respect of cotton piece goods or cotton yarn" immediately after the opening words, "No registration of a cotton mark."

Construction and commencement of Act.

2. This Act shall be construed as one with the Trade Marks Act, 1905, and the said Act of 1905 shall be construed and take effect from the date of its passing as if this Act had then formed part thereof.

Short title.

3. This Act may be cited as the Trade Marks Act, 1914; and the Trade Marks Act, 1905, and this Act may be cited together as the Trade Marks Acts, 1905 and 1914.

CHAPTER 17.

An Act to consolidate and amend the Enactments relating to British Nationality and the Status of Aliens. [7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

NATURAL-BORN BRITISH SUBJECTS.

Definition of natural-born British subject.

1.—(1) The following persons shall be deemed to be natural-born British subjects, namely:—

(*a*) Any person born within His Majesty's dominions and allegiance; and

(*b*) Any person born out of His Majesty's dominions, whose father was a British subject at the time of that person's birth and either was born within His Majesty's allegiance or was a person to whom a certificate of naturalization had been granted; and

Amended by the Act of 1922 s. 1.

(*c*) Any person born on board a British ship whether in foreign territorial waters or not:

Provided that the child of a British subject, whether that child was born before or after the passing of this Act, shall be deemed to have been born within His Majesty's allegiance if born in a place where by treaty, capitulation, grant, usage, sufferance, or other lawful means, His Majesty exercises jurisdiction over British subjects.

(2) A person born on board a foreign ship shall not be deemed to be a British subject by reason only that the ship was in British territorial waters at the time of his birth.

(3) Nothing in this section shall, except as otherwise expressly provided, affect the status of any person born before the commencement of this Act.

PART II.

NATURALIZATION OF ALIENS.

Certificate of naturalization.

2.—(1) The Secretary of State may grant a certificate of naturalization to an alien who makes an application for the purpose, and satisfies the Secretary of State—

(*a*) that he has either resided in His Majesty's dominions for a period of not less than five years in the manner required by this section, or been in the service of the Crown for not less than five years within the last eight years before the application; and

(*b*) that he is of good character and has an adequate knowledge of the English language; and

(*c*) that he intends if his application is granted either to reside in His Majesty's dominions or to enter or continue in the service of the Crown.

(2) The residence required by this section is residence in the United Kingdom for not less than one year immediately preceding the application, and previous residence, either in the United Kingdom or in some other part of His Majesty's dominions, for a period of four years within the last eight years before the application.

(3) The grant of a certificate of naturalization to any such alien shall be in the absolute discretion of the Secretary of State, and he may, with or without assigning any reason, give or withhold the certificate as he thinks most conducive to the public good, and no appeal shall lie from his decision.

(4) A certificate of naturalization shall not take effect until the applicant has taken the oath of allegiance.

(5) In the case of a woman who was a British subject previously to her marriage to an alien, and whose husband has died or whose marriage has been dissolved, the requirements of this section as to residence shall not apply and the Secretary of State may in any other special case, if he thinks fit, grant a certificate of naturalization, although the four years' residence or five years' service has not been within the last eight years before the application.

Effect of certificate of naturalization.

3.—(1) A person to whom a certificate of naturalization is granted by a Secretary of State shall, subject to the provisions of this Act, be entitled to all political and other rights powers and privileges, and be subject to all obligations, duties and liabilities, to which a natural-born British subject is entitled or subject, and, as from the date of his naturalization, have to all intents and purposes the status of a natural-born British subject.

12 & 13 Will. 3. c. 2.

(2) Section three of the Act of Settlement (which disqualifies naturalized aliens from holding certain offices) shall have effect as if the words "naturalized or" were omitted therefrom.

Special certificate in case of doubt.

4. The Secretary of State may in his absolute discretion, in such cases as he thinks fit, grant a special certificate of naturalization to any person with respect to whose nationality as a British subject a doubt exists, and he may specify in the certificate that the grant thereof is made for the purpose of quieting doubts as to the right of the person to be a British subject, and the grant of such a special certificate shall not be deemed to be any admission that the person to whom it was granted was not previously a British subject.

Persons under disability.

5.—(1) Where an alien obtains a certificate of naturalization, the Secretary of State may, if he thinks fit, on the application of that alien, include in the certificate the name of any child of the alien born before the date of the certificate and being a minor, and that child shall thereupon, if not already a British subject, become a British subject; but any such child may, within one year after attaining his majority, make a declaration of alienage, and shall thereupon cease to be a British subject.

(2) The Secretary of State may, in his absolute discretion in any special case in which he thinks fit, grant a certificate of naturalization to any minor, although the conditions required by this Act have not been complied with.

(3) Except as provided by this section, a certificate of naturalization shall not be granted to any person under disability.

Persons previously naturalized.

6. An alien who has been naturalized before the passing of this Act may apply to the Secretary of State for a certificate of naturalization under this Act, and the Secretary of State may grant to him a certificate on such terms and conditions as he may think fit.

Revocation of certificate of naturalization.

7.—(1) Where it appears to the Secretary of State that a certificate of naturalization granted by him has been obtained by false representations or fraud, the Secretary of State may by order revoke the certificate, and the order of revocation shall have effect from such date as the Secretary of State may direct.

(2) Where the Secretary of State revokes a certificate of naturalization, he may order the certificate to be given up and cancelled, and any person refusing or neglecting to give up the certificate shall be liable on summary conviction to a fine not exceeding one hundred pounds.

Power of Governments of British possessions to grant certificates of Imperial naturalization.

8.—(1) The Government of any British Possession shall have the same power to grant a certificate of naturalization as the Secretary of State has under this Act, and the provisions of this Act as to the grant and revocation of such a certificate shall apply accordingly, with the substitution of the Government of the Possession for the Secretary of State, and the Possession for the United Kingdom, and also, in a Possession where any language is recognised as on an equality with the English language, with the substitution of the English language or that language for the English language:

Provided that, in any British Possession other than British India and a Dominion specified in the First Schedule to this Act, the powers of the Government of the Possession under this section shall be exercised by the Governor or a person acting under his authority, but shall be subject in each case to the approval of the Secretary of State, and any certificate proposed to be granted shall be submitted to him for his approval.

(2) Any certificate of naturalization granted under this section shall have the same effect as a certificate of naturalization granted by the Secretary of State under this Act.

Application of Part II. to Self-Governing Dominions.

9.—(1) This Part of this Act shall not, nor shall any certificate of naturalization granted thereunder, have effect within any of the Dominions specified in the First Schedule to this Act, unless the Legislature of that Dominion adopts this Part of this Act.

(2) Where the Legislature of any such Dominion has adopted this Part of this Act, the Government of the Dominion shall have the like powers to make regulations with respect to certificates of naturalization and to oaths of allegiance as are conferred by this Act on the Secretary of State.

(3) The Legislature of any such Dominion which adopts this Part of this Act may provide how and by what Department of the Government the powers conferred by this Part of this Act on the Government of a British Possession are to be exercised.

(4) The Legislature of any such Dominion may at any time rescind the adoption of this Part of this Act, provided that no such rescission shall prejudicially affect any legal rights existing at the time of such rescission.

PART III.

GENERAL.

National Status of Married Women and Infant Children.

National status of married women.

10. The wife of a British subject shall be deemed to be a British subject, and the wife of an alien shall be deemed to be an alien: Provided that where a man ceases during the continuance of his marriage to be a British subject it shall be lawful for his wife to make a declaration that she desires to retain British nationality, and thereupon she shall be deemed to remain a British subject.

Repealed and replaced by s. 1 of the British Nationality & Aliens Act 1933

Status of widows.

11. A woman who, having been a British subject, has by, or in consequence of, her marriage become an alien, shall not, by reason only of the death of her husband, or the dissolution of her marriage, cease to be an alien, and a woman who, having been an alien, has by, or in consequence of, her marriage become a British subject, shall not, by reason only of the death of her husband or the dissolution of her marriage, cease to be a British subject.

Status of children.

12.—(1) Where a person being a British subject ceases to be a British subject, whether by declaration of alienage or otherwise, every child of that person, being a minor, shall thereupon cease to be a British subject, unless such child, on that person ceasing to be a British subject, does not become by the law of any other country naturalized in that country:

Provided that, where a widow who is a British subject marries an alien, any child of hers by her former husband shall not, by reason only of her marriage, cease to be a British subject, whether he is residing outside His Majesty's dominions or not.

(2) Any child who has so ceased to be a British subject may, within one year after attaining his majority, make a declaration that he wishes to resume British nationality, and shall thereupon again become a British subject.

Loss of British Nationality.

Loss of British nationality by foreign naturalization.

13. A British subject who, when in any foreign state and not under disability, by obtaining a certificate of naturalization, or by any other voluntary and formal act, becomes naturalized therein, shall thenceforth be deemed to have ceased to be a British subject.

Declaration of alienage.

14.—(1) Any person who by reason of his having been born within His Majesty's dominions and allegiance or on board a British ship is a natural-born British subject, but who at his birth or during his minority became under the law of any foreign state a subject also of that state, and is still such a subject, may, if of full age and not under disability, make a declaration of alienage, and on making the declaration shall cease to be a British subject.

(2) Any person who though born out of His Majesty's dominions is a natural-born British subject may, if of full age and not under disability, make a declaration of alienage, and on making the declaration shall cease to be a British subject.

Power of naturalized subjects to divest themselves of their status in certain cases.

15. Where His Majesty has entered into a convention with any foreign state to the effect that the subjects or citizens of that state to whom certificates of naturalization have been granted may divest themselves of their status as such subjects, it shall be lawful for His Majesty, by Order in Council, to declare that the convention has been entered into by His Majesty; and from and after the date of the Order any person having been originally a subject or citizen of the state therein referred to, who has been naturalized as a British subject, may, within the limit of time provided in the convention, make a declaration of alienage, and on his making the declaration he shall be regarded as an alien and as a subject of the state to which he originally belonged as aforesaid.

Saving of obligations incurred before loss of nationality.

16. Where any British subject ceases to be a British subject, he shall not thereby be discharged from any obligation, duty or liability in respect of any act done before he ceased to be a British subject.

Status of Aliens.

Capacity of alien as to property.

17. Real and personal property of every description may be taken, acquired, held and disposed of by an alien in the same manner in all respects as by a natural-born British subject; and a title to real and personal property of every description may be derived through, from or in succession to an alien in the same manner in all respects as through, from or in succession to a natural-born British subject:

Provided that this section shall not operate so as to—

(1) Confer any right on an alien to hold real property situate out of the United Kingdom; or

(2) Qualify an alien for any office or for any municipal, parliamentary, or other franchise; or

(3) Qualify an alien to be the owner of a British ship; or

(4) Entitle an alien to any right or privilege as a British subject, except such rights and privileges in respect of property as are hereby expressly given to him; or

(5) Affect any estate or interest in real or personal property to which any person has or may become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the twelfth day of May eighteen hundred and seventy, or in pursuance of any devolution by law on the death of any person dying before that day.

Trial of alien.

18. An alien shall be triable in the same manner as if he were a natural-born British subject.

Procedure and Evidence.

Regulations by Secretary of State.

19.—(1) The Secretary of State may make regulations generally for carrying into effect the objects of this Act, and in particular with respect to the following matters :—

(*a*) The form and registration of certificates of naturalization granted by the Secretary of State :

(*b*) The form and registration of declarations of alienage and declarations of resumption or retention of British nationality :

(*c*) The registration by officers in the diplomatic or consular service of His Majesty of the births and deaths of British subjects born or dying out of His Majesty's dominions :

(*d*) The time within which the oath of allegiance is to be taken after the grant of a certificate of naturalization :

(*e*) The persons by whom the oath of allegiance may be administered, and the persons before whom declarations of alienage and declarations of resumption of British nationality may be made :

(*f*) Whether or not oaths of allegiance are to be subscribed as well as taken, and the form in which the taking and subscription are to be attested :

(*g*) The registration of oaths of allegiance :

(*h*) The persons by whom certified copies of oaths of allegiance may be given ; and the proof in any legal proceeding of any such oaths :

(*i*) The transmission to the United Kingdom, for the purpose of registration or safe keeping or of being produced as evidence, of any declarations, certificates or oaths, made, granted or taken out of the United Kingdom in pursuance of this Act or of any Act hereby repealed, or of any copies thereof, also of copies of entries contained in any register kept out of the United Kingdom in pursuance of this Act or any Act hereby repealed :

(*j*) With the consent of the Treasury, the imposition and application of fees in respect of any registration authorised to be made by this Act or any Act hereby repealed, and in respect of the making of any declaration or the grant of any certificate authorised to be made or granted by this Act or any Act hereby repealed, and in respect of the administration or registration of any oath : Provided that in the case of a woman who was a British subject previously to her marriage to an alien, and whose husband has died or whose marriage has been dissolved, the fee for the grant of a certificate shall not exceed five shillings.

(2) Any regulation made by the Secretary of State in pursuance of this Act shall be of the same force as if it had been enacted therein, but shall not, so far as respects the

imposition of fees, be in force in any British Possession, and shall not, so far as respects any other matter, be in force in any British Possession in which any Act or ordinance, or, in the case of a Dominion specified in the First Schedule to this Act, any regulation made by the Government of the Dominion under Part II. of this Act, to the contrary of, or inconsistent with, any such regulation may for the time being be in force.

(3) Any regulations made by the Secretary of State under any Act hereby repealed shall continue in force and be deemed to have been made under this Act.

Evidence of declarations.

20. Any declaration made under this Act or under any Act hereby repealed may be proved in any legal proceeding by the production of the original declaration or of any copy thereof certified to be a true copy by the Secretary of State, or by any person authorised by him in that behalf, and the production of the declaration or copy shall be evidence of the person therein named as declarant having made the declaration at the date therein mentioned.

Evidence of certificates of naturalization.

21. A certificate of naturalization may be proved in any legal proceeding by the production of the original certificate or of any copy thereof certified to be a true copy by the Secretary of State, or by any person authorised by him in that behalf.

Evidence of entries in registers.

22. Entries in any register made in pursuance of this Act or under any Act hereby repealed may be proved by such copies and certified in such manner as may be directed by the Secretary of State, and the copies of any such entries shall be evidence of any matters, by this Act or by any Act hereby repealed or by any regulation of the Secretary of State, authorised to be inserted in the register.

Penalty for false representation or statement.

23. If any person for any of the purposes of this Act knowingly makes any false representation or any statement false in a material particular, he shall, in the United Kingdom, be liable on summary conviction in respect of each offence to imprisonment with or without hard labour for any term not exceeding three months.

Form of oath of allegiance.

24. The oath of allegiance shall be in the form set out in the Second Schedule to this Act.

Supplemental.

Saving for letters of denization.

25. Nothing in this Act shall affect the grant of letters of denization by His Majesty.

Saving for powers of Legislatures and Governments of British possessions.

26.—(1) Nothing in this Act shall take away or abridge any power vested in, or exerciseable by, the Legislature or Government of any British Possession, or affect the operation of any law at present in force which has been passed in exercise of such a power, or prevent any such Legislature or Government from treating differently different classes of British subjects.

(2) All laws, statutes and ordinances made by the Legislature of a British Possession for imparting to any person any of the privileges of naturalization to be enjoyed by him within the limits of that Possession shall, within those limits, have the authority of law.

(3) Where any parts of His Majesty's Dominions are under both a central and a local legislature, the expression "British Possession" shall, for the purposes of this section, include both all parts under the central legislature and each part under a local legislature: Provided that nothing in this provision shall be construed as validating any law, statute or ordinance with respect to naturalization made by any such local legislature in any case where the central legislature possesses exclusive legislative authority with respect to naturalization.

Definitions.

Amended by the Act of 1922, s. 2.

27.—(1) In this Act, unless the context otherwise requires,—

The expression "British subject" means a person who is a natural-born British subject, or a person to whom a certificate of naturalization has been granted:

The expression "alien" means a person who is not a British subject:

The expression "certificate of naturalization" means a certificate of naturalization granted under this Act or under any Act repealed by this or any other Act:

The expression "disability" means the status of being a married woman, or a minor, lunatic, or idiot:

The expression "territorial waters" includes any port, harbour, or dock.

(2) Where in pursuance of this Act the name of a child is included in a certificate of naturalization granted to his parent, such child shall, for the purposes of this Act, be deemed to be a person to whom a certificate of naturalization has been granted.

Repeal, short title, and commencement.

28.—(1) The enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

(2) This Act may be cited as the British Nationality and Status of Aliens Act, 1914.

(3) This Act shall come into operation on the first day of January nineteen hundred and fifteen.

SCHEDULES.

Sections 8, 9, 19.

FIRST SCHEDULE.

LIST OF DOMINIONS.

The Dominion of Canada.

The Commonwealth of Australia (including for the purposes of this Act the territory of Papua and Norfolk Island).

The Dominion of New Zealand.

The Union of South Africa.

Newfoundland.

SECOND SCHEDULE.

Section 24.

OATH OF ALLEGIANCE.

"I, *A.B.*, swear by Almighty God that I will be faithful and bear true allegiance to His Majesty, King George the Fifth, his Heirs and Successors, according to law.

THIRD SCHEDULE.

Section 28.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
25 Edw. 3. stat. 1.	Statute for those who are born in parts beyond the seas.	From "and in the right of other children" to the end of the statute.
42 Edw. 3. c. 10.	A statute made at Westminster on the first day of May in the forty-second year of King Edward III.	The whole chapter.
12 & 13 Will. 3. c. 2.	The Act of Settlement -	In section three the words "naturalized or."
7 Anne, c. 5. -	The Foreign Protestants (Naturalization) Act, 1708.	The whole Act.
4 Geo. 2. c. 21.	The British Nationality Act, 1730.	The whole Act.
13 Geo. 3. c. 21.	The British Nationality Act, 1772.	The whole Act.
33 & 34 Vict. c. 14.	The Naturalization Act, 1870.	The whole Act.
33 & 34 Vict. c. 102.	The Naturalization Oath Act, 1870.	The whole Act.
58 & 59 Vict. c. 43.	The Naturalization Act, 1895.	The whole Act.

CHAPTER 18.

An Act to amend section ninety-one of the Patents and Designs Act, 1907. [7th August 1914.]

WHEREAS by a Convention made at Washington in nineteen hundred and eleven, to which His Majesty was a party, an amendment was made in Article IV. (*a*) of the International Convention for the Protection of Industrial Property made at Paris in eighteen hundred and eighty-three, whereby the rights of priority conferred by that Article on persons who have applied for protection for an invention, design or trade-mark in foreign States were extended to the legal representatives and assignees of such applicants, and it is expedient for the purpose of enabling effect to be given to the first-mentioned Convention that such amendment as herein-after mentioned should be made in subsection (1) of section ninety-one of the Patents and Designs Act, 1907:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of s. 91 of 7 Edw. 7. c. 29.

1. The rights conferred by section ninety-one of the Patents and Designs Act, 1907, on a person who has applied for protection for any invention, design or trade mark in a foreign State shall extend to his legal representatives and assignees, and accordingly subsection (1) of that section shall have effect as if after the words "any person who has applied for protection for "any invention, design, or trade mark in that State" there were inserted the words "or his legal representative or assignee."

Short title.

2. This Act may be cited as the Patents and Designs Act, 1914; and the Patents and Designs Act, 1907, the Patents and Designs Act, 1908, and this Act may be cited together as the Patents and Designs Acts, 1907 to 1914.

CHAPTER 19.

An Act to amend the Law with respect to Customs in the Isle of Man. [7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of additional duties on tea, tobacco,

1. The additional duty of Customs on tea removed or imported into the Isle of Man imposed by section one of the Isle of Man (Customs) Act, 1906, and the additional duties of Customs

on tobacco and spirits removed or imported into the Isle of Man imposed by section one of the Isle of Man (Customs) Act, 1900, and the additional duty on ale and beer removed or imported into the Isle of Man imposed by the second paragraph of section two of that Act, shall continue to be charged, levied, and paid as from the first day of August nineteen hundred and fourteen until the first day of August nineteen hundred and fifteen.

spirits, ale, and beer. 6 Edw. 7. c. 18. 63 & 64 Vict. c. 31.

2. This Act may be cited as the Isle of Man (Customs) Act, 1914.

Short title.

CHAPTER 20.

An Act to amend the Education (Provision of Meals) Act, 1906. [7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. A local education authority may, without any application to the Board of Education, spend out of the rates such sums as may be necessary to meet the cost of the provision of food under section three of the Education (Provision of Meals) Act, 1906, and accordingly in that section the words "apply to the Board of Education, and that Board may authorise them to," and from "provided that" to the end of the section, shall be repealed.

Extension of powers as to feeding of school children. 6 Edw. 7. c. 57.

2. The powers of a local education authority under the Education (Provision of Meals) Act, 1906, as amended by this Act, shall be exerciseable in respect of children attending a public elementary school within their area, both on days when the school meets and on other days.

Act to apply both on days when the school meets and on other days.

3. This Act may be cited as the Education (Provision of Meals) Act, 1914, and the Education (Provision of Meals) Act, 1906, and this Act may be cited together as the Education (Provision of Meals) Acts, 1906 and 1914.

Short title.

CHAPTER 21.

An Act to extend the Qualification for Membership of County and Borough Councils. [7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of qualification to be elected on county or borough councils. 45 & 46 Vict. c. 50.

1.—(1) Notwithstanding anything in the Municipal Corporations Act, 1882, or any other Act, any person of either sex shall be qualified to be elected and to be a councillor or alderman of a county council or of a borough council and may be nominated for election as a councillor, if that person has resided within the county or borough, as the case may be, during the whole of the twelve months preceding the election:

Provided that a woman, if elected as chairman of a county council or mayor of a borough, shall not, by virtue of holding or having held that office, be a justice of the peace.

(2) The qualification under this provision shall be alternative for, and shall not repeal or take away, any other qualification and shall not remove or affect any disqualification.

Short title and application.

2.—(1) This Act may be cited as the County and Borough Councils (Qualification) Act, 1914.

(2) This Act shall not apply to Scotland or Ireland.

CHAPTER 22.

An Act to amend the Coal Mines Act, 1911.

[7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of s. 11 of 1 & 2 Geo. v. c. 50 to owners and agents.

1. Section eleven of the Coal Mines Act, 1911, which relates to inquiries into the conduct of holders of certificates of competency, shall apply to any owner or agent of a mine taking part in the technical management thereof who is alleged, by reason of incompetency or gross negligence or misconduct in such management, to be unfit to continue to hold a certificate of competency.

Provisions as to offences.

2. Where, with respect to, or in consequence of, any accident in a mine, a special report is made by an inspector, or a report is made by the court appointed to hold a formal investigation, or a coroner's inquest is held, and it appears from the report, or from the proceedings at the inquest, that any of the provisions of the Coal Mines Act, 1911, or the orders or regulations made thereunder, were not being complied with at the time of the accident, summary proceedings against any person liable to be proceeded against in respect of such non-compliance may be commenced at any time within three months after the making of the report or the conclusion of the inquest.

3. The amendments specified in the second column of the Schedule to this Act, which relate to minor details, shall be made in the provisions of the Coal Mines Act, 1911, specified in the first column of that schedule. Minor amendments.

4. This Act may be cited as the Coal Mines Act, 1914; and the Coal Mines Regulation Acts, 1887 to 1908, the Coal Mines Act, 1911, and this Act may be cited together as the Coal Mines Acts, 1887 to 1914. Short title and commencement.

SCHEDULE.

Enactment to be amended.	Nature of Amendment.
The Coal Mines Act, 1911:	
s. 42 (2) - - -	For the words "before the passing of this Act" there shall be substituted the words "before the commencement of this Act."
s. 70 - - - -	For the words "steam-engine room" there shall be substituted the words "engine room."
s. 114 - - - -	After the words "under this Act may be" there shall be inserted the words "made or granted and."

CHAPTER 23.

An Act to continue various Expiring Laws.

[7th August 1914.]

WHEREAS the Acts mentioned in the schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire, as respects the Acts mentioned in Part I. of that schedule, on the thirty-first day of December nineteen hundred and fourteen, and, as respects the Acts mentioned in Part II. of that schedule, on the thirty-first day of March nineteen hundred and fifteen, and as respects the Act mentioned in Part III. of that schedule on the twenty-eighth day of March nineteen hundred and fifteen:

And whereas section forty-two of the National Insurance Act, 1911, mentioned in Part IV. of the schedule to this Act, is limited to expire on the first day of January nineteen hundred and fifteen, and the powers of the Insurance Commissioners under section seventy-eight of that Act, as amended by the National Insurance Act, 1913, are limited to expire on the thirty-first day of December nineteen hundred and fourteen:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of Acts in schedule.

1.—(1) The Acts mentioned in Part I., Part III., and Part IV. of the schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of December nineteen hundred and fifteen, and shall then expire, unless further continued.

(2) The Acts mentioned in Part II. of the schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of March nineteen hundred and sixteen, and shall then expire, unless further continued.

(3) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the schedule to this Act or not.

Short title.

2. This Act may be cited as the Expiring Laws Continuance Act, 1914.

Section 1.

SCHEDULE.

PART I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 3 & 4 Vict. c. 89.	The Poor Rate Exemption Act, 1840.	The whole Act.	——
(2) 3 & 4 Vict. c. 91.	The Textile Manufactures (Ireland) Act, 1840.	The whole Act -	5 & 6 Vict. c. 68. 30 & 31 Vict. c. 60.
(3) 4 & 5 Vict. c. 30.	The Ordnance Survey Act, 1841.	The whole Act -	33 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.
(4) 10 & 11 Vict. c. 98.	The Ecclesiastical Jurisdiction Act, 1847.	As to the provisions continued by 21 & 22 Vict. c. 50.	——

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(5) 14 & 15 Vict. c. 104.	The Episcopal and Capitular Estates Act, 1851.	The whole Act -	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(6) 17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(7) 26 & 27 Vict. c. 105.	The Promissory Notes Act, 1863.	The whole Act -	45 & 46 Vict. c. 61.
(8) 27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act, 1864.	The whole Act.	——
(9) 28 & 29 Vict. c. 46.	The Militia (Ballot Suspension) Act, 1865.	The whole Act -	45 & 46 Vict. c. 49.
(10) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865	The whole Act -	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29. 1 & 2 Geo. 5. c. 45.
(11) 31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(12) 32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	The whole Act -	34 & 35 Vict. c. 61.
(13) 32 & 33 Vict. c. 56.	The Endowed Schools Act, 1869.	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87. 52 & 53 Vict. c. 40. 8 Edw. 7. c. 39.
(14) 33 & 34 Vict. c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act -	34 & 35 Vict. c. 100. 49 Vict. c. 6.
(15) 34 & 35 Vict. c. 87.	The Sunday Observation Prosecution Act, 1871.	The whole Act.	——

1. Session and Chapter.	2. Short Title.	3. How far continued.	5. Amending Acts.
(16) 35 & 36 Vict. c. 33.	The Ballot Act, 1872 -	The whole Act -	45 & 46 Vict. c. 50. (Municipal Elections).
(17) 38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act -	46 & 47 Vict. c. 51. s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
(18) 39 & 40 Vict. c. 21.	The Jurors Qualification (Ireland) Act, 1876.	The whole Act -	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37. s. 69.
(19) 41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878.	The whole Act -	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58. 54 & 55 Vict. c. 49.
(20) 43 Vict. c. 18.	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act -	46 & 47 Vict. c. 51.
(21) 43 & 44 Vict. c. 42.	The Employers' Liability Act, 1880.	The whole Act -	6 Edw. 7. c. 58. s. 14.
(22) 46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	The whole Act -	58 & 59 Vict. c. 40.
(23) 47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	The whole Act -	56 & 57 Vict. c. 73. 1 & 2 Geo. 5. c. 7.
(24) 51 & 52 Vict. c. 55.	The Sand Grouse Protection Act, 1888.	The whole Act.	——
(25) 52 & 53 Vict. c. 40.	The Welsh Intermediate Education Act, 1889.	As to the powers of the joint education committee and the suspension of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60.
(26) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act.	——
(27) 59 Vict. c. 1. -	The Local Government (Elections) Act, 1896.	The whole Act.	——

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(28) 61 & 62 Vict. c. 49.	The Vaccination Act, 1898	The whole Act	7 Edw. 7. c. 31.
(29) 2 Edw. 7. c. 18.	The Licensing (Ireland) Act, 1902.	The whole Act.	——
(30) 3 Edw. 7. c. 36.	The Motor Car Act, 1903	The whole Act.	——
(31) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act.	——
(32) 5 Edw. 7. c. 18.	The Unemployed Workmen Act, 1905.	The whole Act.	——
(33) 7 Edw. 7. c. 55.	The London Cab and Stage Carriage Act, 1907.	As to the abolition of the privileged cab system, s. 2.	——

Part II.

(34) 59 & 60 Vict. c. 16.	The Agricultural Rates Act, 1896.	The whole Act.	——
(35) 59 & 60 Vict. c. 37.	The Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896.	The whole Act.	——

Part III.

(36) 2 & 3 Geo. 5. c. 2.	The Coal Mines (Minimum Wage) Act, 1912.	The whole Act.	——

PART IV.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(37) 1 & 2 Geo. 5. c. 55.	The National Insurance Act. 1911.	Section forty-two; and so far as it relates to the powers of the Insurance Commissioners to make orders affecting section forty-two, section seventy-eight.	3 & 4 Geo. 5. c. 37.

CHAPTER 24.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and fifteen, and to appropriate the Supplies granted in this Session of Parliament. [7th August 1914.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

GRANTS OUT OF CONSOLIDATED FUND.

Issue of 204,642,055*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and fifteen the sum of two hundred and four million six hundred and forty-two thousand and fifty-five pounds.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole two hundred and four million six hundred and forty-two thousand and fifty-five pounds. Power for the Treasury to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and fifteen and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills. 40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Appropriation of Grants.

3. All sums granted by this Act and the other Act mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of two hundred and seventy-three million seventy-nine thousand six hundred and eight pounds are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A.), for the services and purposes expressed in Schedule (B.) annexed hereto. Appropriation of sums voted for supply services.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B.) annexed hereto, the sums respectively set forth in the last column of the said schedule. 54 & 55 Vict. c. 24.

4.—(1) So long as the aggregate expenditure on naval and military services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the

navy services and for the army services respectively be not exceeded.

by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval and military services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Sanction for navy and army expenditure for 1912–1913 unprovided for. 2 & 3 Geo. 5. c. 7 2 & 3 Geo. c. 27.

5. Whereas under the powers given for the purpose by the Appropriation Act, 1912, and the Appropriation (1912–3) Act, 1913, surpluses arising on certain votes for the naval and military services respectively have been temporarily applied as shown in the accounts set out in Schedule (C.) to this Act:

It is enacted that the application of those surpluses as shown in the said accounts is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by such warrant:

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title.

7. This Act may be cited for all purposes as the Appropriation Act, 1914.

Section 3.

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - -	273,079,608	0	0

SCHEDULE (B.)—Appropriation of Grants.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
1913-1914.	£	s.	d.	£	s.	d.
Part 1. Navy (Supplementary), 1913-1914 - -	2,500 000	0	0	104,000	0	0
,, 2. Army (Supplementary), 1913-1914 -	196,000	0	0	100,000	0	0
,, 3. Civil Services (Supplementary), 1913-1914 -	96,053	0	0	8,040	0	0
£	2,792,053	0	0	212,040	0	0
1914-1915.						
,, 4. Navy - - -	51,550,000	0	0	2,023,261	0	0
,, 5. Army - - -	28,845,000	0	0	3,668,200	0	0
,, 5. Army (Ordnance Factories) - - -	40,000	0	0	3,337,000	0	0
£	80,435,000	0	0	9,028,461	0	0
,, 6. Civil Services, Class I. -	3,744,769	0	0	148,524	0	0
,, 7. Ditto, Class II. -	4,723,433	0	0	1,125,698	0	0
,, 8. Ditto, Class III. -	4,769,234	0	0	872,241	0	0
,, 9. Ditto, Class IV. -	20,559,191	0	0	28,515	0	0
,, 10. Ditto, Class V. -	1,866,917	0	0	123,717	0	0
,, 11. Ditto, Class VI. -	1,091,346	0	0	7,900	0	0
,, 12. Ditto, Class VII. -	22,129,750	0	0	248,500	0	0
Total Civil Services - £	58,884,640	0	0	2,555,095	0	0
,, 13. Revenue Departments, &c. £	30,967,915	0	0	961,098	0	0
,, 14. Naval and Military Operations, &c. (Vote of Credit) - - - £	100,000,000	0	0	—		
Grand Total - - £	273,079,608	0	0	12,756,694	0	0

SCHED. (A.)

Section 3.

SCHEDULE (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£	s.	d.
For the service of the year ended on the 31st day of March 1914 :—			
Under Act 4 Geo. 5. c. 1 - - - -	2,792,053	0	0
For the service of the year ending on the 31st day of March 1915 :—			
Under Act 4 Geo. 5. c. 1 - - - -	65,645,500	0	0
Under this Act - - - - - -	204,642,055	0	0
TOTAL - -	273,079,608	0	0

SCHED. (B.) PART 1.

Navy (Supplementary), 1913–1914.

SCHEDULE (B.)—PART 1.

NAVY (Supplementary), 1913–1914.

SUMS granted and sums which may be applied as appropriations in aid in addition thereto to meet additional expenditure on Navy Services for the year ended on the 31st day of March 1914, viz. :—

		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
Vote 2.	Victualling and Clothing for the Navy - -	88,000	−24,000*
„ 8.	Shipbuilding, Repairs, Maintenance, &c. :		
	Section I., Personnel	88,000	—
	„ II., Matériel -	733,000	131,000
	„ III., Contract Work -	1,125,000	−20,000*
„ 9.	Naval Armaments - -	320,000	30,000
„ 10.	Works, Buildings, and Repairs, &c. - - -	60,000	—
„ 11.	Miscellaneous Effective Services - - -	123,000	—
		2,537,000	117,000
	Less Surplus on Vote 1 (Wages, &c.) -	37,000	−13,000
	Total - - - £	2,500,000	104,000

* Deficit.

SCHEDULE (B.)—Part 2.

Sched. (B.) Part 2. Army (Supplementary), 1913–1914.

Army (Supplementary), 1913–1914.

Sums granted and sums which may be applied as appropriations in aid in addition thereto to meet additional expenditure on Army Services for the year ended on the 31st day of March 1914, viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote 1. Pay, &c. of the Army -	30,000	—
,, 6. Quartering, Transport, and Remounts - -	35,000	—
,, 7. Supplies and Clothing -	15,000	—
,, 8. Ordnance Departments, Establishments, and General Stores - -	60,000	60,000
,, 9. Armaments, Aviation, and Engineer Stores -	176,000	40,000
Total - -	196,000	100,000

SCHEDULE (B.)—Part 3.

Sched. (B.) Part 3. Civil Services (Supplementary), 1913–1914.

Civil Services (Supplementary), 1913–1914.

Schedule of Supplementary Sums granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1914, viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.	£	£
Class I.		
For Houses of Parliament Buildings - -	3,100	—
Class II.		
For the Salaries and Expenses of the Board of Agriculture and Fisheries, and of Royal Botanic Gardens, Kew, including certain Grants in Aid -	5	—
For the Salaries and Expenses of the Registry of Friendly Societies - - - - -	903	—
For the Salaries and Expenses of the Department of the Registrar-General of Births, &c., in England -	5	1,070

SCHED. (B.) PART 3. Civil Services (Supplementary), 1913–1914.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
For the Salaries and Expenses of the Board of Lunacy in Scotland - - - - -	362	40
For the Salaries and Expenses of the Department of Agriculture and other Industries and Technical Instruction for Ireland, and of the Services administered by that Department, including sundry Grants in Aid - - - - -	10	—
CLASS III.		
For the Salaries and Expenses of the Office of the Inspector of Reformatories; and for the Maintenance of Juvenile Offenders in Reformatory, Industrial, and Day Industrial Schools, and in Places of Detention under the Children Act, in Great Britain - - - - -	5	1,500
For Criminal Prosecutions and other Law Charges in Ireland, including a Grant in relief of certain Expenses payable by Statute out of Local Rates -	2,250	—
For the Expenses of the Royal Irish Constabulary -	8,400	5,4[illegible]
CLASS IV.		
For Public Education in Scotland - - -	9,250	—
CLASS V.		
For sundry Colonial Services, including certain Grants in Aid - - - - -	35,358	
For making good the net loss on transactions connected with the raising of money for the various Treasury Chests Abroad in the year 1912–1913 -	19,905	—
CLASS VI.		
For Superannuation, Compensation, Compassionate, and Additional Allowances, and Gratuities -	15,000	—
CLASS VII.		
For Expenditure in connection with International Exhibitions - - - - -	1,500	—
TOTAL - - - £	96,053	8,040

SCHEDULE (B.)—Part 4.

NAVY.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the Navy Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For wages, &c., to 218,000 officers, seamen, and boys, coastguard, and royal marines (including an additional number of 67,000)	8,800,000	126,000
2.	For victualling and clothing for the navy, including the cost of victualling establishments at home and abroad - - -	3,092,000	771,662
3.	For medical services, including the cost of medical establishments at home and abroad	292,100	17,673
4.	For civilians employed on fleet services -	115,300	200
5.	For educational services - - -	175,000	67,857
6.	For scientific services - - -	64,700	34,948
7.	For the royal naval reserve, the royal fleet reserve, and the royal naval volunteers, &c.	489,900	3,208
8.	Sect. 1. For the personnel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of dockyards and naval yards at home and abroad - - - -	3,989,800	26,400
„	Sect. 2. For the matériel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of dockyards and naval yards at home and abroad - - -	7,087,400	649,400
„	Sect. 3. For contract work for shipbuilding, repairs, &c. - - - - - -	14,287,800	92,960
9.	For naval armaments - - - -	5,544,300	123,250
10.	For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith -	3,595,500	36,500
11.	For various miscellaneous effective services -	523,700	8,334
12.	For the Admiralty Office - - -	483,500	9,142
13.	For half-pay, and retired pay to officers of the navy and marines - - - - -	1,003,700	24,116
14.	For naval and marine pensions, gratuities, and compassionate allowances - -	1,605,900	31,251
15.	For civil superannuation, compensation allowances, and gratuities - - - -	399,400	360
	Total Navy Services - - £	51,550,000	2,023,261

SCHED. (B.) PART 5. Army.

SCHEDULE (B.)—PART 5.

ARMY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915; viz.:—

No.		Sums not exceeding: Supply Grants. £	Sums not exceeding: Appropriations in Aid. £
1.	For the pay, &c., of His Majesty's Army (including Army Reserve to a number not exceeding 147,000) at home and abroad (exclusive of India)	8,705,000	1,445,000
2.	For the pay, &c., of the medical establishments and for medicines, &c.	437,000	1,600
3.	For the pay, bounty, &c., of the Special Reserve (to a number not exceeding 80,200, including 80 militia and militia reserve) and of the Officers' Training Corps	724,000	9,000
4.	For grants, pay, allowances, training, and miscellaneous charges of the Territorial Force and Channel Islands and Colonial Militia, including the expense of permanent staff	3,086,000	5,650
5.	For establishments for military education	156,000	98,620
6.	For quartering, transport, and remounts	1,732,000	70,000
7.	For supplies and clothing	4,388,000	224,200
8.	For the Ordnance Department establishments and for general stores	621,000	225,000
9.	For armaments, engineer stores, and aviation	1,732,000	383,000
10.	For works, buildings, and repairs, lands, and miscellaneous engineer services, including staff in connection therewith	2,791,000	153,980
11.	For miscellaneous effective services	59,000	8,200
12.	For the War Office	457,000	1,000
13.	For rewards; half-pay; retired pay; widows' pensions; and other non-effective charges for officers	1,846,000	504,870
14.	For Chelsea and Kilmainham hospitals; for out pensions; for rewards for distinguished services; for widows' pensions; and for other non-effective charges for warrant officers, non-commissioned officers, and men, &c.	1,977,000	538,000
15.	For civil superannuation, compensation, and additional allowances, gratuities, injury grants, &c.	134,000	80
	TOTAL ARMY SERVICES £	28,845,000	3,668,200

Sched. (B.) Part 5. Army.

		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
Army (Ordnance Factories).		£	£
For the ordnance factories, the cost of productions of which is charged to the army, navy, and Indian and Colonial Governments, &c. - -		40,000	3,337,000
Total Army Services (including Ordnance Factories) - -	£	28,885,000	7,005,200

SCHEDULE (B.)—Part 6.

Sched. (B.) Part 6. Civil Services. Class I.

CIVIL SERVICES.—Class I.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For expenditure in respect of royal palaces, including a grant in aid - - -	65,270	2,629
2.	For expenditure in respect of Osborne - -	10,300	3,200
3.	For the royal parks and pleasure gardens -	123,200	13,545
4.	For expenditure in respect of the Houses of Parliament buildings - - -	66,700	5,370
5.	For expenditure in respect of miscellaneous legal buildings, Great Britain - -	59,300	855
6.	For expenditure in respect of Art and Science buildings, Great Britain - - -	109,200	1,525
7.	For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad - - -	102,050	1,350
8.	For the Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad -	710,900	6,045
9.	For Insurance and Labour Exchange buildings, Great Britain - - - - -	214,200	1,900
10.	For expenditure in respect of sundry public buildings in Great Britain not provided for on other votes - - - - -	851,950	11,260
11.	For the survey of the United Kingdom, and for minor services connected therewith -	207,485	37,765
12.	For maintaining certain harbours under the Board of Trade and for grants in aid of harbours - - - - -	49,532	3,660
13.	For constructing a new harbour of refuge at Peterhead - - - - -	32,000	—

SCHED. (B.) PART 6. Civil Services. Class I.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
14.	For rates and contributions in lieu of rates, &c., in respect of Government property, and for rates on houses occupied by Representatives of Foreign Powers, and for salaries and expenses of the Rating of Government property department, and for a contribution towards the expenses of the London Fire Brigade -	810,000	31,980
15.	For the erection, repairs, and maintenance of public buildings in Ireland, for the maintenance of certain parks and public works, and for the maintenance of drainage works on the River Shannon - - - -	279,739	27,500
16.	For payments under the Tramways and Public Companies (Ireland) Act, 1883, &c., the Railways (Ireland) Act, 1896, and the Marine Works (Ireland) Act, 1902, and for other purposes connected with Irish railways - -	52,943	—
	TOTAL CIVIL SERVICES, CLASS I. - £	3,744,769	148,524

SCHED. (B.) PART 7. Civil Services. Class II

SCHEDULE (B.)—PART 7.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915 ; viz. :—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the offices of the House of Lords - - - -	26,987	17,500
2.	For the salaries and expenses of the House of Commons - - - - -	299,448	19,000
3.	For the salaries and other expenses of the department of His Majesty's Treasury and subordinate departments, including expenses in respect of advances under the Light Railways Act, 1896 - - - -	108,263	3,724
4.	For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices -	268,600	12,000
5.	For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs - - - -	68,737	900
6.	For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies, including a grant in aid of certain expenses connected with Emigration -	61,510	—

SCHED. (B.) PART 7. Civil Services. Class II.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
7.	For the salaries and expenses of the department of His Majesty's most Honourable Privy Council	10,242	2,200
8.	For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments	382,550	27,360
9.	For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine (including Merchant Seamen's Fund Pensions)	131,564	84,000
10.	For meeting the deficiency of income from fees, &c., for the requirements of the Board of Trade, under the Bankruptcy Acts, 1883 to 1913	16	109,480
11.	For the salaries and expenses of the Board of Agriculture and Fisheries and of the Royal Botanic Gardens, Kew, including certain grants in aid	344,027	278,923
12.	For the salaries and expenses of the Charity Commission for England and Wales	30,572	—
13.	For the salaries and expenses of the department of the Government Chemist	24,792	—
14.	For the salaries and expenses of the Civil Service Commission	51,885	—
15.	For the salaries and expenses of the department of the Comptroller and Auditor General	68,235	3,137
16.	For the salaries and expenses of the Registry of Friendly Societies	22,358	—
17.	For the salaries and expenses of the Local Government Board, including certain grants (including a supplementary sum of 12,000*l.*)	314,356	5,600
18.	For the salaries and expenses of the Board of Control (Lunacy and Mental Deficiency), England	176,419	999
19.	For the salaries and expenses of the Mint, including the expenses of coinage, and for the expenses of the preparation of medals, dies for postage and other stamps, and His Majesty's seals	48	164,950
20.	For the salaries and expenses of the National Debt Office	13,056	3,183
21.	For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments	26,509	—
22.	For the salaries and expenses of the establishment under the Public Works Loan Commissioners	31	11,800
23.	For the salaries and expenses of the department of the Registrar General of Births, &c., in England	47,768	11,000
24.	For stationery, printing, paper, binding, and printed books for the public service, for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including reports of Parliamentary Debates	1,069,272	168,000
25.	For the salaries and expenses in the office of His Majesty's Woods, Forests, and Land Revenues	22,974	—

SCHED. (B.) PART 7. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants.	Appropriations in Aid.
		£	£
26.	For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings	152,710	—
27.	For His Majesty's foreign and other secret services	50,000	—
28.	For the salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate offices, expenses under the Inebriates Acts, 1879 to 1900, and expenses under the Private Legislation Procedure (Scotland) Act, 1899	16,851	2,010
29.	For the salaries and expenses of the Board of Agriculture for Scotland, including certain grants in aid	244,100	48,310
30.	For the salaries and expenses of the Fishery Board for Scotland, and for grants in aid of piers or quays	23,497	3,451
31.	For the salaries and expenses of the Board of Lunacy and General Board of Control for Scotland	25,922	528
32.	For the salaries and expenses of the department of the Registrar General of Births, &c., in Scotland	6,300	1,300
33.	For the salaries and expenses of the Local Government Board for Scotland	23,542	—
34.	For the salaries and expenses of the household of the Lord Lieutenant of Ireland	4,554	—
35.	For the salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and of the Inspectors of Lunatic Asylums, and expenses under the Inebriates Acts	25,472	314
36.	For the salaries and expenses of the department of agriculture and other industries, and technical instruction for Ireland, and of the services administered by that department, including sundry grants in aid (including a supplementary sum of 21,000*l.*)	189,266	105,995
37.	For the salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland	1,997	34
38.	For the Congested Districts Board for Ireland, including sundry grants in aid	169,750	15,000
39.	For the salaries and expenses of the Local Government Board in Ireland, including sundry grants in aid	109,728	11,000
40.	For the salaries and expenses of the Public Record Office in Ireland and of the Keeper of State Papers in Dublin	7,452	—
41.	For the salaries and expenses of the office of Public Works in Ireland	46,582	4,300
42.	For the salaries and expenses of the department of the Registrar General of Births, &c., and for the expenses of collecting emigration statistics in Ireland	13,347	900
43.	For the salaries and expenses of the general valuation and boundary survey of Ireland	42,144	8,800
	TOTAL CIVIL SERVICES, CLASS II. £	4,723,433	1,125,698

SCHEDULE (B.)—Part 8.

CIVIL SERVICES.—Class III.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915; viz.:—

No.		Sums not exceeding	
		Supply Grants	Appropriations in Aid.
		£	£
1.	For the salaries of the law officers department, the salaries and expenses of the department of the Solicitor for the affairs of His Majesty's Treasury and King's Proctor, and the department of Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency -	82,179	24,000
2.	For certain miscellaneous legal expenses, including grants in aid of the expenses of the Incorporated Law Societies of England and Ireland - - - - - -	52,216	12,731
3.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund - - - - -	327,889	51,700
4.	For the salaries and expenses of the office of Land Registry - - - - -	40,121	—
5.	For the salaries and expenses of the office of Public Trustee - - - - -	10	54,790
6.	For the salaries and expenses connected with the County Courts - - - - -	8,050	483,000
7.	For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, the contribution towards the expenses of the Metropolitan Police, and the salaries and expenses of the Inspectors of Constabulary, and expenses in connection with Special Constables and the Police Reserve -	108,186	77
8.	For the expenses of the prisons in England, Wales, and the Colonies, including a grant in aid of certain expenses - - - -	783,890	22,000
9.	For the salaries and expenses of the office of the Inspector of Reformatories and for the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools and in places of detention under the Children Act, in Great Britain - - - - -	331,462	26,000
10.	For the maintenance of criminal lunatics in the Criminal Lunatic Asylums at Broadmoor and Rampton, including the furnishing and equipment of Rampton Asylum - -	59,607	1,240
11.	For the salaries and expenses of the Lord Advocate's department and other law charges, and the salaries and expenses of the Courts of Law and Justice in Scotland - -	86,910	49,500

SCHED. (B.) PART 8. Civil Services. Class III.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
12. For the salaries and expenses of the office of the Scottish Land Court (including a supplementary sum of 600*l.*)	10,300	—
13. For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh	44,601	—
14. For the salaries and expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics, defectives, and inmates of the State inebriate reformatory, and the preparation of judicial statistics	114,923	7,430
15. For criminal prosecutions and other law charges in Ireland, including a grant in relief of certain expenses payable by statute out of local rates	65,278	555
16. For such of the salaries and expenses of the Supreme Court of Judicature and of certain other legal departments in Ireland as are not charged on the Consolidated Fund	114,325	3,900
17. For the salaries and expenses of the office of the Irish Land Commission	719,349	24,500
18. For the salaries, allowances, and expenses of various county court officers, and of magistrates in Ireland, and the expenses of revision	109,963	5,200
19. For the salaries and expenses of the Commissioner of Police, the police courts and the metropolitan police establishment of Dublin	107,472	56,818
20. For the expenses of the Royal Irish Constabulary	1,369,292	43,000
21. For the expenses of the General Prisons Board in Ireland, and of the establishments under their control; the registration of habitual criminals and the maintenance of criminal lunatics confined in district lunatic asylums	114,214	3,500
22. For the expenses of reformatory and industrial schools in Ireland	111,552	2,300
23. For the maintenance of criminal lunatics in the Dundrum Criminal Lunatic Asylum, Ireland	8,045	—
TOTAL CIVIL SERVICES, CLASS III. - £	4,769,234	872,241

SCHEDULE (B.)—Part 9.

Sched. (B.) Part 9. Civil Services. Class IV.

CIVIL SERVICES.—Class IV.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including sundry grants in aid (including a supplementary sum of 515,000*l.*)	15,245,621	7,275
2.	For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain grants in aid	195,273	15,485
3.	For the salaries and expenses of the National Gallery, and of the National Gallery of British Art, Millbank, including a grant in aid for the purchase of pictures	22,545	2,250
4.	For the salaries and expenses of the National Portrait Gallery, including a grant in aid for the purchase of portraits	5,823	—
5.	For the salaries and expenses of the Wallace Collection	8,196	875
6.	For the salaries and expenses in respect of Stafford House	5,975	—
7.	For sundry grants in aid of scientific investigation, &c., and other grants (including a supplementary sum of 4,000*l.*)	104,697	—
8.	For grants in aid of the expenses of certain Universities and Colleges in Great Britain and of the expenses under the Welsh Intermediate Education Act, 1889	314,800	—
9.	For public education in Scotland, and for Science and Art in Scotland, including a grant in aid, and certain special grants to School Boards in respect of Defective Children (including a supplementary sum of 75,139*l.*)	2,567,007	—
10.	For the salaries and expenses of the National Gallery, the Scottish National Portrait Gallery, and the Museum of Antiquities, including certain grants in aid	6,783	—
11.	For the expenses of the Commissioners of National Education in Ireland (including a grant in aid of the Teachers Pension Fund, Ireland), (including a supplementary sum of 13,546*l.*)	1,769,227	700
11A.	For the salaries of teachers in secondary schools in Ireland	40,000	—
12.	For the expenses of the office of the Commissioners for managing certain school endowments in Ireland	915	—
13.	For the salaries and expenses of the National Gallery of Ireland, including a grant in aid for the purchase of pictures	3,165	—

SCHED. (B.) PART 9. Civil Services. Class IV.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
14. For the salaries and expenses of the Institutions of Science and Art in Dublin, and of the Geological Survey of Ireland, and Annual Grants to Schools and Classes of Science and Art and Technical Instruction, including sundry Grants in Aid, administered by the Department of Agriculture and Technical Instruction for Ireland - - - -	145,164	1,930
15. For grants under the Irish Universities Act, 1908	124,000	—
TOTAL CIVIL SERVICES, CLASS IV. - £	20,559,191	28,515

SCHED. (B.) PART 10. Civil Services. Class V.

SCHEDULE (B.)—PART 10.

CIVIL SERVICES.—CLASS V.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915 ; viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote - -	798,041	106,920
2. For sundry colonial services, including certain grants in aid - - - - - -	740,014	—
3. For the subsidies to certain Telegraph Companies, and a grant in aid of the annual expenses of the Pacific Cable - - -	28,862	16,797
4. For a grant in aid of the Revenue of the Island of Cyprus - - - - -	50,000	—
5. For a loan to the Government of Persia (including a supplementary sum of 25,000*l.*) -	245,000	—
6. For a loan to the Government of Albania - -	5,000	—
TOTAL CIVIL SERVICES, CLASS V. - £	1,866,917	123,717

SCHEDULE (B.)—Part 11.

Sched. (B.) Part 11. Civil Services Class VI.

CIVIL SERVICES.—Class VI.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
1.	For superannuation, compensation, compassionate, and additional allowances, and gratuities under sundry Statutes, for compassionate allowances and gratuities awarded by the Treasury; and for the salaries of medical referees	£ 793,367	£ —
2.	For certain miscellaneous expenses, including certain charitable and other allowances, Great Britain (including a supplementary sum of 6,000*l.*)	20,426	7,900
3.	For hospitals and infirmaries and certain miscellaneous charitable and other allowances in Ireland, including sundry grants in aid	16,863	—
4.	For the salaries and other expenses of temporary commissions, committees, and special inquiries	43,500	—
5.	For making good certain sums written off from the assets of the Local Loans Fund	2,501	—
6.	For the Ireland Development Grant (Grant in Aid)	185,000	—
7.	For expenditure in connection with International Exhibitions	21,250	—
8.	For repayment to the Civil Contingencies Fund of certain Miscellaneous Advances	8,439	—
	Total Civil Services, Class VI. £	1,091,346	7,900

SCHED. (B.) PART 12. Civil Services. Class VII.

SCHEDULE (B.)—PART 12.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For Old Age Pensions in the United Kingdom, and for certain administrative expenses in connection therewith - - - -	12,710,000	—
2.	For the salaries and expenses of the National Health Insurance Joint Committee, including sundry grants in aid (including a supplementary sum of 943,100*l.*) - - - -	1,218,964	—
3.	For the salaries and expenses of the Insurance Commission (England), and for contributions and grants in respect of the cost of benefits and expenses of administration under Part I. of the National Insurance Act, 1911, and under the National Insurance Act, 1913 (including certain grants in aid) - - - -	4,896,611	—
4.	For the salaries and expenses of the Insurance Commission (Wales), and for contributions and grants in respect of the cost of benefits and expenses of administration under Part I. of the National Insurance Act, 1911, and under the National Insurance Act, 1913 (including certain grants in aid) - - - -	361,702	—
5.	For the salaries and expenses of the Insurance Commission (Scotland), and for contributions and grants in respect of the cost of benefits and expenses of administration under Part I. of the National Insurance Act, 1911, and under the National Insurance Act, 1913 (including certain grants in aid) - - - -	710,815	—
6.	For the salaries and expenses of the Insurance Commission (Ireland), and for contributions and grants in respect of the cost of benefits and expenses of administration under Part I. of the National Insurance Act, 1911, and under the National Insurance Act, 1913 (including certain grants in aid) - - - -	394,620	—
7.	For the salaries of the staff and other expenses of Labour Exchanges, including the contribution to the Unemployment Insurance Fund and repayments to associations pursuant to sections 85 and 106 of the National Insurance Act, 1911 - - - -	1,038,123	248,500
8.	For the salaries and expenses of the audit staff under the National Insurance Act, 1911 -	109,500	—
9.	For grants towards the cost of the extension of sanatorium benefit to the dependants of insured persons under the National Insurance Act, 1911, and of the treatment of tuberculosis generally - - - - -	480,000	—

SCHED. (B.) PART 12. Civil Services. Class VII.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
9A.	For the payment of grants to assist in the provision of Laboratory Facilities with a view to the prevention, diagnosis, and treatment of disease	50,000	—
10.	For the expenses of the Highlands and Islands (Medical Service) Board, and for a grant in aid of the Highlands and Islands Medical Service	44,847	—
11.	For making good the deficiency on the Income Account of the Fund for Friendly Societies	14,568	—
12.	For contributions in aid of expenses under the Unemployed Workmen Act, 1905	100,000	—
	TOTAL CIVIL SERVICES, CLASS VII. £	22,129,750	248,500

SCHEDULE (B.)—PART 13.

SCHED. (B.) PART 13. Revenue Departments, &c.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS, &c., herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1915; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Customs and Excise Department	2,488,765	103,210
2.	For the salaries and expenses of the Inland Revenue Department (including a supplementary sum of 45,000*l.*)	2,252,320	10,000
3.	For the salaries and expenses of the Post Office, including Telegraphs and Telephones (including a supplementary sum of 75,000*l.*)	26,226,830	847,888
	TOTAL REVENUE DEPARTMENTS £	30,967,915	961,098

SCHEDULE (B.)—PART 14.

SCHED. (B.) PART 14. Naval and Military Operations, &c. (Vote of Credit.)

NAVAL AND MILITARY OPERATIONS, &c. (VOTE OF CREDIT.)

FOR DEFRAYING EXPENSES which may be incurred during the year ending on the 31st day of March 1915 for all measures which may be taken for the SECURITY of the COUNTRY; for the conduct of NAVAL and MILITARY OPERATIONS; for assisting FOOD SUPPLY; for promoting the CONTINUANCE of TRADE, INDUSTRY, BUSINESS and COMMUNICATIONS, whether by means of insurance or indemnity against risk or otherwise; for RELIEF of DISTRESS; and generally for all expenses arising out of the existence of a state of war £100,000,000

SCHED. (C.) Navy Services. Section 5.

SCHEDULE (C.)

Number of Vote.	NAVY SERVICES, 1912–13. VOTES.	Surpluses.	Deficits made good from Surpluses.
		£ s. d.	£ s. d.
1	Wages, &c., of officers, seamen, and boys, Coastguard, and Royal Marines	—	33,885 17 3
2	Victualling and clothing for the Navy	—	159,848 19 6
3	Medical establishments and services	—	9,110 12 5
4	Martial law	40 16 8	—
5	Educational services	5,854 2 7	—
6	Scientific services	—	204 11 11
7	Royal Naval Reserves	20,615 11 11	—
8	Shipbuilding, repairs, maintenance, &c. :		
	I. Personnel	—	224,539 9 6
	II. Matériel	—	768,252 6 3
	III. Contract work	1,046,500 3 1	—
9	Naval armaments	—	246,953 7 2
10	Works, buildings, and repairs, at home and abroad	554,161 7 4	—
11	Miscellaneous effective services	—	24,199 7 8
12	Admiralty Office	—	2,836 2 5
13	Half-pay and retired pay	—	15,952 8 0
14	Naval and marine pensions, gratuities, and compassionate allowances	—	1,435 17 7
15	Civil superannuation, compensation allowances, and gratuities	6,038 3 10	—
—	Amount written off as irrecoverable	—	3,760 2 9
	Total	1,633,210 5 5	1,490,979 2 5
	NET SURPLUS	£142,231 3 0	

SCHEDULE (C.)

SCHED. (C.) Army Services.

Number of Vote.	ARMY SERVICES, 1912–13. VOTES.	Surpluses.	Deficits made good from Surpluses.
		£ s. d.	£ s. d.
1	Pay, &c., of the Army	16,949 16 11	—
2	Medical establishment: Pay, &c.	—	363 0 11
3	Special Reserve	18,243 12 10	—
4	Territorial Forces	71,474 3 6	—
5	Establishments for military education	1,845 11 9	—
6	Quartering, transport, and remounts	—	4,935 17 3
7	Supplies and clothing	—	44,109 5 3
8	Ordnance department establishments and general stores	1,420 4 5	—
9	Armaments, aviation, and engineer stores	—	84,664 14 1
10	Works and buildings	82,045 10 6	—
11	Miscellaneous effective services	4,095 13 6	—
12	War Office	4,037 8 5	—
13	Non-effective charges for officers, &c.	24,190 6 7	—
14	Non-effective charges for men, &c.	—	1,809 7 3
15	Civil superannuation, compensation and compassionate allowances, and gratuities	2,463 16 10	—
—	Balances irrecoverable and claims abandoned	—	6,022 8 0
	Total	226,766 5 3	141,904 12 9
	NET SURPLUS	£84,861 12 6	

CHAPTER 25.

An Act to remove electoral disabilities which may arise in the case of members of the Reserve and Territorial Forces and in the case of Volunteers by reason of absence on the Naval or Military service of the Crown.

[7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Absence of person in pursuance of naval or military duties not to disqualify as elector.

1.—(1) A person shall not be disqualified for being registered for voting, either as a parliamentary or as a local government elector, in respect of a qualification for which any residence or inhabitancy is required, by reason only that during the whole or any part of the qualifying period he has as a member of the naval reserve, or the army reserve, or the territorial force, or as a volunteer, been absent on actual naval or military service on behalf of the Crown, whether beyond the seas or not.

(2) A person so absent shall not be disqualified by reason of his wife or children having received poor relief during such absence.

(3) The claim to be registered as a lodger may be made and signed, in the case of a person so absent, by any other person on his behalf, and the form of the claim and declaration may in those cases be modified accordingly.

(4) In this Act the expression "volunteer" means any person who is entered or enlisted for temporary service only in connexion with any war as a member of His Majesty's naval or military forces.

Short title, and duration.

2. This Act may be cited as the Electoral Disabilities (Naval and Military Service) Removal Act, 1914, and shall apply only to absence during the continuance of the present war in Europe.

CHAPTER 26.

An Act to enable Food, Forage, and Stores for His Majesty's Forces to be requisitioned in cases of emergency.

[7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of section 115 of Army Act to food, forage, and stores.

1. The power of requisitioning carriages, horses, vessels, and aircraft in case of emergency conferred by the Army Act shall extend so as to include a power of requisitioning food, forage, and stores of all descriptions, and, accordingly, at the end of subsection (2) of section one hundred and fifteen of the Army Act there shall be inserted the words "and also of food, forage, and stores of every description," and all the other provisions of that section and also the provisions of sections thirty-one, one hundred and sixteen, one hundred and seventeen, one hundred and nineteen, and one hundred and twenty-one of the Army Act shall, so far as applicable, apply in relation to food, forage, and stores as they apply in relation to vessels.

Short title.

2. This Act may be cited as the Army (Supply of Food, Forage, and Stores) Act, 1914.

CHAPTER 27.

An Act to extend the powers of the Board of Trade during the continuance of the present hostilities to make Rules under the Patents and Designs Act, 1907, and the Trade Marks Act, 1905. [7th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of power to make rules.
7 Edw. 7. c. 29.
5 Edw. 7. c. 15.

1.—(1) The power of the Board of Trade under section eighty-six of the Patents and Designs Act, 1907, and section sixty of the Trade Marks Act, 1905, to make rules and to do such things as they think expedient for the purposes therein mentioned shall include power to make rules and to do such things as they think expedient for avoiding or suspending in whole or in part any patent or licence granted to, and the registration of any trade mark the proprietor whereof is, a subject of any State at war with His Majesty, and any proceedings on any application made by any such person under either of the said Acts, and for extending the time within which any act or thing may or is required to be done under those Acts.

(2) In relation to rules made under this Act the provisions of subsection (3) of section sixty of the Trade Marks Act, 1905, shall not apply.

(3) If the rules made under this Act so provide the rules or any of them shall have effect as from the passing of this Act.

Short title.

2. This Act may be cited as the Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914.

Duration.

3. This Act and the rules made thereunder shall continue in force during the continuance of the present state of war in Europe, and for a period of six months thereafter and no longer.

CHAPTER 28.

An Act to enable the London County Council to acquire certain lands and execute certain improvements in the City of Westminster, and for other purposes in connexion therewith. [7th August 1914.]

WHEREAS with a view to enhancing the dignity of the approach to the Mall from Charing Cross and the East it is expedient that the London County Council (in this Act referred to as the Council) should be empowered to acquire the lands and execute the improvements by this Act authorised, and to exercise in connexion therewith the powers in this Act set forth:

And whereas it is expedient that the Council and the mayor, aldermen, and councillors of the city of Westminster (in this Act referred to as the Westminster City Council) should be empowered to enter into and carry into effect agreements with reference to the execution of such improvements as aforesaid:

And whereas it is expedient to confer on the Council such powers as are hereinafter set forth with regard to the raising of money for the purposes of this Act:

And whereas it is expedient that such provision as hereinafter appears should be made for contributions by the Commissioners of Works and by the Westminster City Council to the cost incurred under this Act:

And whereas estimates have been prepared by the Council as to the amount which they will require to expend on capital account for the purposes of this Act, and such estimates (calculated to cover the original cost of purchasing lands and executing the improvements without any allowance in respect of returns from resale or letting of lands which will be ultimately available for that purpose or from such contributions as aforesaid) amount to two hundred and fifteen thousand pounds:

And whereas there have been deposited with the clerk of the peace for the county of London plans and sections describing the lines and levels of the lands which may be acquired for the purposes of this Act, and of the improvements by this Act authorised, and also a book of reference to such plans containing the names of the owners and lessees, or reputed owners and

lessees, and of the occupiers of those lands, (which plans, sections, and book of reference, are respectively referred to in this Act as the deposited plans, sections, and book of reference):

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to Council to take lands.

1.—(1) Subject to the provisions of this Act the Council may enter upon, take, and use all or any of the lands shown on the deposited plans and described in the deposited book of reference which they may require for the purpose of securing the erection thereon of buildings of a suitable design, or for the purposes of the improvements authorised by this Act, or for providing substituted sites or facilities for any person whose land may be acquired by the Council under this Act, or otherwise for the purposes of this Act.

(2) The Council may also purchase by agreement any other lands which they may think it desirable to purchase in order to provide such substituted sites or facilities as aforesaid.

Incorporation of Lands Clauses Acts.

2.—(1) The Lands Clauses Acts shall, subject to the provisions of this Act, be incorporated with this Act, with the following exceptions and modifications:—

(*a*) The provisions relating to the sale of superfluous land and section one hundred and thirty-three of the Lands Clauses Consolidation Act, 1845 (relating to land tax and poor rate), shall not be incorporated with this Act: 8 & 9 Vict. c. 18.

(*b*) In the construction of the Acts incorporated with this Act the Council shall be deemed to be the promoters of the undertaking, and this Act shall be deemed to be the special Act:

(*c*) All claims for compensation made upon the Council under this Act, or any Act incorporated with this Act, shall, if the person claiming has no greater interest in the land in respect of which compensation is claimed than as tenant from year to year or as a leaseholder for any term of which not more than eighteen months remain unexpired at the time at which the claim is made, be determined in manner provided by section one hundred and twenty-one of the Lands Clauses Consolidation Act, 1845:

(*d*) In settling any question of disputed purchase money or compensation under this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement, alteration, or building made or erected, or for or in respect of any

interest in the lands created, after the twenty-ninth day of July nineteen hundred and thirteen, if, in the opinion of such court or person, the improvement, alteration, or building, or the creation of the interest in respect of which the claim is made, was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

(2) The powers of the Council for the compulsory purchase of lands under this Act shall cease after the expiration of three years from the passing of this Act.

Power to Council to make improvements.

3.—(1) Subject to the provisions of this Act the Council may, in the lines or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections make and execute the following improvements (in this Act referred to as the improvements), namely :—

(*a*) A widening of Spring Gardens on the northern side thereof between the centre line of the existing Mall Approach and a point one and a half chains or thereabouts westward thereof.

(*b*) A widening of the Mall Approach on the north-western side thereof between Spring Gardens and Charing Cross.

(*c*) A widening of Charing Cross on the southern side thereof between the centre line of the existing Mall Approach and a point one and a half chains or thereabouts westward thereof.

For protection of Canadian Pacific Railway Company.

4. Notwithstanding anything contained in this Act or shown on the deposited plans the Council shall not, without the consent of the Canadian Pacific Railway Company, enter upon, take, or use any of the lands, buildings, or premises belonging to or in the occupation of that Company, being the premises known as numbers 62, 63, 64, 65, and 66, Charing Cross.

Buildings to be erected on lands acquired.

5. With a view to the erection of buildings of a suitable design upon the lands acquired by the Council under this Act and not required by them for the purposes of the improvements, the Council shall, within a reasonable time after the passing of this Act, lease, sell, or exchange the said lands in accordance with the powers conferred upon them by this Act and by the enactments incorporated therewith, and upon any such lease, sale, or exchange shall take all due steps to secure the erection upon the said lands of buildings or other structures in accordance with designs, sections, and specifications submitted to and approved by the Commissioners of Works.

Power to make agreements as to improvements.

6. The Council and the Westminster City Council may enter into and carry into effect agreements with respect to the execution of the improvements.

Improvements to form public streets, repair, &c.

7.—(1) When the improvements are completed a certificate thereof shall be issued under the seal of the Council, and any copy of such certificate certified under the hand of the clerk of the Council shall in all proceedings and for all purposes be admissible and received as evidence that the certificate has been duly made, and from the date of the certificate so much of the improvements as has been laid out as carriageway or footway shall form part of the street and may be used by the public accordingly.

(2) Subject to the provisions of this Act so much of the land acquired by the Council for the improvements as is thrown into and used for the carriageway or footway of any street shall on the completion of the improvements (subject to the enjoyment by the Westminster City Council of all such rights in such lands as are usually enjoyed in respect of a street by the road authority) be and remain vested in the Council, and the maintenance, repair, paving, cleansing, and lighting of so much of the improvements as has been laid out as aforesaid shall be under the care, management, control, and jurisdiction of the Westminster City Council in the same manner as other highways under the care, management, control, and jurisdiction of the said City Council.

Period for completion of improvements.

8. If the improvements are not completed within five years from the passing of this Act, then on the expiration of that period the powers of the Council under this Act for the execution of the same respectively shall cease, except so far as the same are then completed.

Money to be raised on capital account.

9. The Council may expend on capital account for the purposes of this Act such money as they may from time to time think fit, not exceeding two hundred and fifteen thousand pounds, and may borrow or otherwise provide the money required for those purposes in accordance with the provisions of the London County Council (Finance Consolidation) Act, 1912 : 2 & 3 Geo. 5. c. cv.

Provided that nothing in this Act shall authorise the borrowing and expenditure of any money on capital account after the thirtieth day of September nineteen hundred and fifteen.

Contributions of Commissioners of Works and Westminster City Council.

10.—(1) The Commissioners of Works and the Westminster City Council shall each contribute towards the net cost incurred by the Council in the execution of this Act a sum amounting to one-third of such cost or thirty-eight thousand three hundred and thirty-three pounds, whichever is less.

(2) The contribution of the Commissioners of Works under this section shall be defrayed out of moneys provided by Parliament and out of other moneys at the disposal of the Commissioners in such proportions as the Commissioners, with the consent of the Treasury, may determine.

(3) The Westminster City Council may, subject in all respects to the provisions of sections one hundred and eighty-three to one hundred and eighty-nine of the Metropolis Management Act, 1855, as amended by any subsequent Act, borrow the requisite moneys for the purposes of their contribution under this section.

18 & 19 Vict. c. 120.

(4) The Council shall cause a separate account to be kept of all receipts and expenditure under this Act and shall furnish copies of the account to the Commissioners of Works and the Westminster City Council.

Incorporation of certain provisions of Improvements Acts.

11. The sections of the Acts specified in the first column of the Schedule to this Act of which the numbers and marginal notes are respectively set forth in the second and third columns of that schedule, are hereby incorporated with and form part of this Act, and the said section shall, so far as applicable, extend and apply to the improvements and to the lands authorised to be acquired under this Act and to the Council in respect thereof as fully and effectually as if such sections had been re-enacted with the necessary modifications in this Act with reference thereto:

Provided that—

(*a*) for the purposes of the incorporated sections forty-eight and forty-nine of the London County Council (Tramways and Improvements) Act, 1901, the Metropolitan Water Board and the London Hydraulic Power Company shall be deemed to be water companies; and

1 Edw. 7. c. cclxxi.

(*b*) for the purpose of the incorporated sections fifty-two, fifty-four, and fifty-five of the same Act the purposes of this Act shall be deemed to be the improvements; and

(*c*) the incorporated section sixty-six of the same Act shall have effect as though the Commissioners of Works were included therein as a party empowered to enter into and carry into effect the agreements referred to in that section.

As to payments under this Act.

12. All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this or any other Act) shall be defrayed as payments for general county purposes within the meaning of the Local Government Act, 1888, and the costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be deemed to be incurred in the execution of this Act.

51 & 52 Vict. c. 41.

Short title.

13. This Act may be cited as the Mall Approach (Improvement) Act, 1914.

SCHEDULE.

Section 11.

ENACTMENTS INCORPORATED.

Act.	Number of Section.	Marginal Note.
London County Council (Tramways and Improvements) Act, 1901 (1 Edw. 7. c. cclxxi).	29	Streets may be raised or lowered.
	30	Deviation from line and levels.
	32	Carriageway, footway, sewers, and other works.
	33	Directing how pavement shall be laid and made.
	34	Sewers or drains to be arched over or filled up.
	35	Power to alter steps, areas, pipes, &c.
	38	Power to sell materials.
	41	Power to certain persons to grant easements, &c., by agreement.
	42	Correction of errors, &c., in deposited plans and book of reference.
	43	Power to Council to enter upon property for survey and valuation.
	44	Costs of arbitration, &c., in certain cases.
	48	Alteration of position of water, gas, and other pipes.
	49	For protection of gas and water companies.
	50	Alteration of electric lines.
	52	Power to lease surplus lands.
	54	Council may sell land in the first instance without having previously granted a lease thereof.
	55	Council may let or exchange lands.
	57	Receipts of Council to be effectual discharges.
	58	Power to Council to make agreements with owners of property, &c.
	66	Agreements for closing accounts in cases of joint works.
London County Council (Tramways and Improvements) Act, 1907 (7 Edw. 7. c. cxliv).	21	Power to make subsidiary works, stop-up streets, &c.
	32	Council to dispose of lands within a certain period.
	33	As to sale of ground rents.
	40	Power to stop-up ways temporarily.

CHAPTER 29.

An Act to confer on His Majesty in Council power to make Regulations during the present War for the Defence of the Realm. [8th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to make regulations.

1. His Majesty in Council has power during the continuance of the present war to issue regulations as to the powers and duties of the Admiralty and Army Council, and of the members of His Majesty's forces, and other persons acting in His behalf, for securing the public safety and the defence of the realm; and may, by such regulations, authorise the trial by courts martial and punishment of persons contravening any of the provisions of such regulations designed—

(*a*) to prevent persons communicating with the enemy or obtaining information for that purpose or any purpose calculated to jeopardise the success of the operations of any of His Majesty's forces or to assist the enemy; or

(*b*) to secure the safety of any means of communication, or of railways, docks or harbours;

in like manner as if such persons were subject to military law and had on active service committed an offence under section five of the Army Act.

Short title.

2. This Act may be cited as the Defence of the Realm Act, 1914.

CHAPTER 30.

An Act to provide for the grant of pensions and other allowances to certain persons if injured whilst employed in connexion with warlike operations, and to their dependants, and for purposes connected therewith. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision of pensions and other allowances to civilians in-

1.—(1) His Majesty may by Order in Council frame a scheme as to the pension and grants, and other allowances in the nature thereof, to be paid to persons (not being officers or seamen of the Royal Navy, or officers or soldiers of any of His Majesty's

land or marine forces), in respect of injuries suffered by them whilst employed afloat by or under the Admiralty or Army Council in connexion with warlike operations in which His Majesty is engaged, and in the case of their death to their widows and other dependants. jured in connexion with warlike operations, &c.

(2) The Order shall specify the persons to whom the Order applies and the conditions under which it becomes applicable, and may include persons not in the direct employment of the Admiralty or Army Council, and persons employed on commissioned ships, notwithstanding that by reason of such employment they are subject to the Naval Discipline Act.

(3) A person to whom any such Order in Council applies shall not, nor in the case of his death shall his widow or other dependants or his personal representatives, in respect of any injury suffered by him whilst the Order in Council so applies to him, be entitled to any pensions or other benefits under any other Order in Council or any warrant or regulations relating to officers and men in the naval or military service of the Crown, or to any compensation under the Workmen's Compensation Act, 1906, or to any compensation or damages at common law or under the Employers' Liability Act, 1880, or any other statute, or to any gratuity or any superannuation or other allowance under the Superannuation Acts, 1834 to 1909, or to any pension or allowance under the Greenwich Hospital Acts, 1865 to 1898, except so far as the Order in Council otherwise provides. 6 Edw. 7. c. 58. 43 & 44 Vict. c. 42.

(4) All pensions, grants, and other allowances under this Act shall be paid out of moneys provided by Parliament.

(5) An Order in Council under this Act may provide that the Order shall have effect as from the third day of August nineteen hundred and fourteen, and any such Order in Council may be revoked or varied by a subsequent Order.

2. This Act may be cited as the Injuries in War (Compensation) Act, 1914. Short title.

CHAPTER 31.

An Act to make provision with respect to the Housing of Persons employed by or on behalf of Government Departments where sufficient dwelling accommodation is not available. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of the Local Government Board and Commissioners of Works for the purpose of housing persons employed by Government departments

1.—(1) The Local Government Board shall have power, with the approval of the Treasury, to make arrangements with any authorised society within the meaning of this Act for the purpose of the provision, maintenance, and management of dwellings and gardens and other works or buildings for or for the convenience of persons employed by or on behalf of Government departments on Government works where sufficient dwelling accommodation is not available for those persons, and the Commissioners of Works shall have power for the same purpose, with the consent of the Treasury, given after consultation with the Local Government Board, to acquire and dispose of land and buildings, and to build dwellings, and do all other things which appear to them necessary or desirable for effecting that purpose.

(2) The Local Government Board may, with the approval of the Treasury, assist any authorised society with whom arrangements are made under this Act on such conditions as they think fit by becoming holders of the share or loan capital thereof or making loans thereto or otherwise as they think fit.

Where the Local Government Board make arrangements under this Act with any authorised society in connexion with the provision or maintenance of dwellings within any borough, the council of the borough shall have the like power, with the approval of the Local Government Board, of assisting the society as the Local Government Board have under this Act with the approval of the Treasury.

Any expenses incurred by the council under this provision shall be defrayed in the same manner as expenses of the council under Part III. of the Housing of the Working Classes Act, 1890; and the council shall have the like power to borrow for the purposes of this provision as they have for the purposes of that Part of that Act.

53 & 54 Vict. c. 70.

Payment of expenses incurred under Act.

2.—(1) The Treasury shall, as and when they think fit, issue out of the Consolidated Fund or the growing produce thereof such sums as may be required for the purpose of meeting any expenditure which is, in the opinion of the Treasury, of a capital nature and which is incurred with the consent or approval of the Treasury by or on behalf of the Local Government Board, or the Commissioners of Works for the purposes of this Act, not exceeding in the aggregate two million pounds; and any expenses incurred for those purposes by the Local Government Board, or the Commissioners of Works, not being, in the opinion of the Treasury, of the nature of capital expenditure, shall be defrayed out of moneys provided by Parliament, and any receipts arising in connexion therewith shall be paid into the Exchequer.

(2) The Treasury may, if they think fit, for the purpose of providing money for sums so authorised to be issued out of the Consolidated Fund, or for repaying to that Fund any part of the sums so issued, borrow by means of terminable annuities

for a term not exceeding thirty years; and all sums so borrowed shall be paid into the Exchequer.

(3) The said annuities shall be paid out of moneys provided by Parliament, and, if those moneys are insufficient, shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

(4) The Treasury may also, if they think fit, for the same purpose borrow money by means of the issue of Exchequer bonds and the Capital Expenditure (Money) Act, 1904, shall have effect as if this Act had been in force at the time of the passing of that Act. 4 Edw. 7. c. 21.

(5) The Treasury shall, within six months after the end of every financial year, cause to be made out and laid before the House of Commons accounts showing the amount of any expenditure of a capital nature incurred by the Local Government Board and the Commissioners of Works, respectively, under this Act, and of the money borrowed and the securities created under this Act; and any such accounts of expenditure shall be audited and reported upon by the Comptroller and Auditor-General as appropriation accounts in manner provided by the Exchequer and Audit Departments Act, 1866. 29 & 30 Vict. c. 39.

Interpretation, application, and short title.

3.—(1) In this Act the expression "authorised society" means any society, company, or body of persons approved by the Treasury whose objects include the erection, improvement, or management of dwellings for working classes, which does not trade for profit, or whose constitution forbids the payment of any interest or dividend at a rate exceeding five per cent. per annum.

(2) In the application of this Act to Scotland the Local Government Board for Scotland shall be substituted for the Local Government Board, and "burgh" shall be substituted for "borough."

(3) This Act shall not apply to Ireland.

(4) This Act may be cited as the Housing Act, 1914.

CHAPTER 32.

An Act to amend the Law relating to Labourers in Ireland. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of limits on amount of

1.—(1) The limit on the amount of the advances that may be made by the Land Commission under section sixteen of the

advances and payments for the purposes of the Labourers (Ireland) Acts. 6 Edw. 7 c. 37. 1 & 2 Geo. 5. c. 19.

Labourers (Ireland) Act, 1906, shall be six million two hundred and fifty thousand pounds, instead of five million two hundred and fifty thousand pounds, and accordingly that section, as amended by section two of the Labourers (Ireland) Act, 1911, shall have effect, with the substitution of the sum first mentioned in this subsection for the sum secondly mentioned in this subsection.

(2) The limit on the amount of the payment that may in any year be charged on the Ireland Development Grant for the purposes of section seventeen of the Labourers (Ireland) Act, 1906, or, in the event of that grant being insufficient, be defrayed out of moneys provided by Parliament, shall be forty-one thousand pounds, instead of thirty-four thousand five hundred pounds, and accordingly section fourteen of the Labourers (Ireland) Act, 1906, and section eleven of the Irish Land Act, 1909, as amended by section three of the Labourers (Ireland) Act, 1911, shall have effect, with the substitution of the sum first mentioned in this subsection for the sum secondly mentioned in this subsection.

9 Edw. 7. c. 42.

Short title, construction, and citation.

2. This Act may be cited as the Labourers (Ireland) Act, 1914, and shall be construed as one with the Labourers (Ireland) Acts, 1883 to 1911, and may be cited with those Acts.

CHAPTER 33.

An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants for public works.

1.—(1) For the purpose of local loans, there may be issued by the National Debt Commissioners the following sums, namely:—

(*a*) For the purpose of loans by the Public Works Loan Commissioners, any sum or sums not exceeding in the whole the sum of six million pounds:

(*b*) For the purpose of loans by the Commissioners of Public Works in Ireland, any sum or sums not exceeding in the whole the sum of six hundred thousand pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

50 & 51 Vict. c. 16.

Certain debts not to be reckoned as assets of local loans fund.

2. Whereas it is expedient that the principal of the several local loans specified in the Schedule to this Act should, to the extent specified in the last column of that schedule, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887; therefore, the principal of the said loans shall to that extent be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

Remission of arrears of principal and interest in respect of Eyemouth Harbour loan.

3. Whereas in pursuance of an agreement made in the year eighteen hundred and ninety-two the sum of ten thousand pounds was advanced by the Public Works Loan Commissioners to the Eyemouth Harbour Trustees on the security of the harbour revenues with the collateral security of the Fishery Board for Scotland:

And whereas by an arrangement confirmed by section three of the Public Works Loans Act, 1901, the liability of the Eyemouth Harbour Trustees in respect of the said loan was extinguished without prejudice to the liability of the Fishery Board for Scotland to repay that loan, and, in consequence thereof, the said collateral security is the sole security for the repayment of the said loan: 1 Edw. 7. c. 35.

And whereas the terms of the said collateral security are embodied in a memorandum of agreement between the Secretary for Scotland and the Public Works Loan Commissioners, dated the eleventh day of March eighteen hundred and ninety-two, whereby a portion of the "surplus herring brand fees," as defined in clause three of the said memorandum, was pledged in security for the repayment of the said loan with interest by the instalments and at the times mentioned in the security given by the Eyemouth Harbour Trustees for the said loan, and it was provided that the said portion of the "surplus herring brand fees" of any one year should only be applicable to the repayment of the one-fiftieth part of principal and interest on outstanding principal falling due under the security for the said loan in the same year, and should not be applicable to the repayment of arrears of principal:

And whereas the said portion of the "surplus herring brand fees" so pledged as aforesaid, was in the year ending the thirty-first day of March nineteen hundred and fourteen insufficient to discharge in full the instalment of principal with interest which fell due under the security for the said loan in that year, and the principal sum of two hundred pounds, with interest amounting to one hundred and eighty-eight pounds fourteen shillings and sixpence, now remains unpaid and under the terms of the said memorandum of agreement is irrecoverable:

Therefore the said principal sum of two hundred pounds shall be extinguished, and the said arrears of interest amounting to one hundred and eighty-eight pounds fourteen shillings and sixpence shall be remitted.

Revival of s. 83 of 53 & 54 Vict. c. 70 with respect to loans to borrowers other than local authorities. 9 Edw. vii. c. 14. Repealed by the Housing Act 1925

4. The repeal by the Housing, Town Planning, &c. Act, 1909, of section eighty-three of the Housing of the Working Classes Act, 1890 (relating to the rate of interest on loans by the Public Works Loan Commissioners shall not affect and shall be deemed never to have affected loans by the Public Works Loan Commissioners to borrowers other than local authorities, and the said section is hereby revived as respects such loans.

Short title.

5. This Act may be cited as the Public Works Loans Act, 1914.

Section 2.

SCHEDULE.

PART I.

LOANS BY THE PUBLIC WORKS LOAN COMMISSIONERS.

Loan under the Harbours and Passing Tolls Act, 1861 (24 & 25 *Vict. c.* 47).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Eyemouth Harbour Trustees - -	10,000 0 0	200 0 0

PART II.

LOANS BY THE COMMISSIONERS OF PUBLIC WORKS, IRELAND.

(1) *Loans under the Landed Property Improvement (Ireland) Act*, 1847 (10 *Vict. c.* 32).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Thomas Rochford - - -	460 0 0	6 8 10
Thomas Rochford - - -	345 0 0	45 10 10
Thomas Rochford - - -	150 0 0	50 15 6
John McNamara - - - -	150 0 0	132 15 7
Sundry items - - - -	—	16 5 11

(2) *Loans under the Landlord and Tenant (Ireland) Act*, 1870 (33 & 34 *Vict. c.* 46).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ *s.* *d.*	£ *s.* *d.*
John McNamara - - - -	305 0 0	184 16 10
Patrick Kilkenny - - - -	350 0 0	156 5 5

(3) *Loans under the Land Law (Ireland) Act*, 1881 (44 & 45 *Vict. c.* 49. *s.* 31).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ *s.* *d.*	£ *s.* *d.*
Thomas Enright - - - -	60 0 0	36 2 7
Daniel Gill - - - -	100 0 0	86 3 5
Patrick O'Brien - - - -	49 0 0	43 9 2
John Vahey - - - -	465 0 0	295 13 0
John Lang - - - -	85 0 0	73 2 2
Peter Gavin - - - -	100 0 0	55 7 2

CHAPTER 34.

An Act to authorise the grant out of Police Funds of certain Allowances and Gratuities in respect of Police Reservists who are called out upon Permanent Service.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Family allowances for police reservists on active service.

1.—(1) Where a constable of a police force within the meaning of this Act belongs to the Naval Reserves or the Army Reserve, and has, in pursuance of any Royal Proclamation, been called out, in the case of a man belonging to the Naval Reserves, for service during war or any emergency, or, in the case of a man belonging to the Army Reserve, on permanent service, the police authority may, if they think fit, grant out of the police fund, to or for the benefit of his wife and children, or any of them, or in the case of an unmarried man to or for the benefit of any person whom he is legally liable to maintain and towards whose support he has regularly contributed, an allowance of

such amount and subject to such conditions and restrictions as they think equitable :

Provided as follows :—

(*a*) Any such allowance shall be granted for a limited period not exceeding one year, and may be renewed for a further period, but shall not be continued after the police authority have received notice that the man has ceased to be employed on naval or military service :

(*b*) The aggregate amount of the weekly allowance granted in respect of a married man, together with the weekly amount of any separation or other allowance required to be paid out of naval or military funds in pursuance of any Royal Warrant, and the weekly amount of any compulsory deductions from the man's pay as a seaman or soldier, shall not exceed the total weekly amount which he was receiving from police funds when called out :

(*c*) The allowance granted in respect of an unmarried man shall not exceed in the aggregate eight shillings a week.

(2) If the man dies or is disabled whilst employed on naval or military service, the police authority shall have the same powers with respect to the grant of gratuities as if he had been in the police force at the time of his death or disablement.

(3) If he returns to the police force he shall return to a rank not less than the rank which he held at the time when he was called out, and at a rate of pay not less than the rate which he received before that date.

(4) Where a county is divided into districts for the purposes of the County Police Act, 1840, any allowances granted in accordance with this Act shall be deemed to be general expenditure within the meaning of that Act.

3 & 4 Vict. c. 88.

(5) In this Act the expressions "police authority," "police force," and "police fund" as respects the City of London mean the mayor, aldermen, and commons of the City of London in common council assembled, the city police force, and the fund out of which the expenses of the city police are defrayed, and elsewhere have the same meanings as in the Police Act, 1890.

53 & 54 Vict. c. 45.

Application to Scotland. 53 & 54 Vict. c. 67. 20 & 21 Vict. c. 72.

2. This Act shall apply to Scotland with the substitution of the Police (Scotland) Act, 1890, for the Police Act, 1890, and of the Police (Scotland) Act, 1857, for the County Police Act, 1840.

Short title.

3. This Act may be cited as the Police Reservists (Allowances) Act, 1914.

CHAPTER 35.

An Act to enable Local Authorities in Ireland to provide Meals for School Children. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of local authority to aid school meals committees in the provision of meals for children.

1. A local authority may take such steps as they think fit for the provision of meals for children in attendance at any national school in their area, and for that purpose—

(*a*) may associate with themselves any committee on which the local authority are represented which will undertake to provide food for those children (in this Act called a "school meals committee"); and

(*b*) may aid that committee by furnishing such building, furniture, and apparatus, and such officers and servants as may be necessary for the organisation, preparation, and service of such meals;

but, save as herein-after provided, the local authority shall not incur any expense in respect of the purchase of food to be supplied at such meals. Meals may be provided under this Act both on days when school meets and on other days.

Recovery of the cost of meals.

2.—(1) There shall be charged to the parent of every child in respect of every meal furnished to that child under this Act such an amount as may be determined by the local authority, and, in the event of payment not being made by the parent, it shall be the duty of the authority, unless they are satisfied that the parent is unable by reason of circumstances other than his own default to pay the amount, to require the payment of that amount from that parent, and any such amount may be recovered as a civil debt in manner provided by the Summary Jurisdiction Acts.

(2) The local authority shall pay over to the school meals committee so much of any money paid to them by, or recovered from, any parent as may be determined by the authority to represent the cost of the food furnished by the committee to the child of that parent, less a reasonable deduction in respect of the expenses of recovering the same.

Power of local authority to defray cost of the food in certain cases.

3. Where the local authority resolve that any of the children attending a national school within their area are unable by reason of lack of food to take full advantage of the education provided for them, and have ascertained that funds other than public funds are not available or are insufficient in amount to defray the cost of food furnished in meals under this Act, they may apply to the Local Government Board for Ireland, and that Board may authorise them to spend out of the rates such sum as

will meet the cost of the provision of such food, provided that the total amount expended by a local authority for the purposes of this section in any local financial year shall not exceed the amount which would be produced by a rate of one halfpenny in the pound over the area of the authority.

Provisions as to disfranchisement.

4. The provision of any meal under this Act to a child and the failure on the part of the parent to pay any amount demanded under this Act in respect of a meal shall not deprive the parent of any franchise, right, or privilege, or subject him to any disability.

Expenses to be expenses under Public Health (Ireland) Acts, 1878 to 1907.

5.—(1) The expenses incurred by a local authority in carrying out this Act shall be deemed to be expenses incurred by them under the Public Health (Ireland) Acts, 1878 to 1907, and shall be defrayed accordingly.

(2) The expression "local authority" shall mean an urban district council, including a county borough council.

(3) The expression "child" shall include any child in attendance at a national school.

Provision as to teachers.

6. No teacher employed in a national school shall be required as part of his or her duties to supervise or assist, or to abstain from supervising or assisting in the provision of meals, or in the collection of the cost thereof.

Extent of Act.

7. This Act shall not apply to England or Scotland.

Short title.

8. This Act may be cited as the Education (Provision of Meals) (Ireland) Act, 1914.

Duration of Act.

9. This Act shall continue in operation until the thirty-first day of December nineteen hundred and sixteen and no longer.

CHAPTER 36.

An Act to authorise the Extension of the Classes of Persons for whose benefit part of Osborne House is to be used and for other purposes connected therewith.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lord's Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power to extend classes of persons for whose benefit Osborne House is to be used. 2 Edw. 7. c. 37.

1. His Majesty may, by Order in Council, add to the persons for whose benefit the part of Osborne House mentioned in paragraph (*b*) of subsection (1) of section one of the Osborne Estate Act, 1902, is to be used, such other classes of persons as, subject to such conditions and restrictions as may be

imposed by the Order, he may determine to be qualified on account of their public services to participate in such benefit, so, however, that one such condition shall be that, in granting admission, priority shall be given to officers of His Majesty's Naval and Military forces and His Majesty may from time to time by Order in Council revoke or vary any such Order.

2. This Act may be cited as the Osborne Estate Act, 1914, and this Act and the Osborne Estate Act, 1902, may be cited together as the Osborne Estate Acts, 1902 and 1914. Short title.

CHAPTER 37.

An Act to provide Money for the purpose of the Acquisition of Share or Loan Capital of the Anglo-Persian Oil Company, Limited. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The Treasury shall, as and when they think fit, issue out of the Consolidated Fund or the growing produce thereof such sums, not exceeding in the whole the sum of two million two hundred thousand pounds, as may be required for the purpose of acquiring share or loan capital of the Anglo-Persian Oil Company, Limited. Provision of money for acquisition of capital of the Anglo-Persian Oil Company.

(2) The balance of the money required for the purposes of this Act, after applying to those purposes the sum of one million five hundred and forty-five thousand one hundred and eighty-six pounds seven shillings and fivepence, being that part of the old sinking fund for the year ending the thirty-first day of March, nineteen hundred and twelve which, in pursuance of section twelve of the Finance Act, 1912, has not been issued to the National Debt Commissioners, shall be provided by the application to those purposes of the old sinking fund for the financial year ending the thirty-first day of March, nineteen hundred and fourteen to the extent of six hundred and fifty-four thousand eight hundred and thirteen pounds twelve shillings and sevenpence, and to that extent the obligation to issue the old sinking fund to the National Debt Commissioners under section five of the Sinking Fund Act, 1875, shall not apply. 2 & 3 Geo. 5. c. 8. 38 & 39 Vict. c. 45.

2. This Act may be cited as the Anglo-Persian Oil Company (Acquisition of Capital) Act, 1914. Short title.

CHAPTER 38.

An Act to authorise certain Loans to the Protectorates of British East Africa, Nyasaland, and Uganda.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Power to make advances to the Protectorates of British East Africa, Nyasaland, and Uganda.

1.—(1) Subject to the provisions of this Act the Treasury may advance by way of loan to the Governments of the Protectorates of British East Africa, Nyasaland, and Uganda, for the purpose of the improvement of communications and trade facilities in those Protectorates, any sums not exceeding in the whole three million pounds.

(2) The amount advanced to each Protectorate under this Act shall not exceed the maximum amount specified in the schedule to this Act :

Provided that those maximum amounts may be varied by the Treasury and the Secretary of State as between the three Protectorates if it appears to them that it is expedient to do so, having regard to the ultimate requirements of those Protectorates respectively.

50 & 51 Vict. c. 16.

(3) The advances authorised by this Act shall be local loans within the meaning of the National Debt and Local Loans Act, 1887, and that Act shall apply accordingly.

(4) Every such advance shall bear interest at such rate (not less than two and three quarters per centum per annum) as the Treasury and the Secretary of State may fix as being sufficient to enable it to be made without loss to the Local Loans Fund, and shall be repaid within such period (not exceeding forty years from the date thereof) as the Treasury and the Secretary of State determine in each case, and either by means of equal instalments of principal, or by means of an annuity of principal and interest combined as may be similarly determined.

Security for loan.

2.—(1) An advance shall not be made in pursuance of this Act until the legislative authority of the Protectorate, to the Government of which the advance is to be made, have provided to the satisfaction of the Treasury and the Secretary of State—

(*a*) for raising and appropriating and duly applying the loan ;

(*b*) for charging on the general revenues and assets of the Protectorate, with priority over any subsequent charges, the principal of the loan ; and

(*c*) for so charging and also for remitting to the Treasury in such manner as the Treasury determine—

(i) such yearly or half yearly payments on account of the interest on, and the repayment of the principal of, the loan as the Treasury fix; and

(ii) interest at such rate as the Treasury fix on any such payment in arrear; and

(*d*) for raising, or securing the raising of, sufficient revenue to meet the above charges.

(2) Every Act or ordinance of the legislative authority of the Protectorate which in any way impairs the validity or priority of any such charge or diminishes the revenue to be raised as above mentioned shall, so far as it impairs or diminishes the same, be void unless the consent of the Treasury and the Secretary of State has been previously obtained, and no alteration in the constitution of the government of any of the three Protectorates whereby the control of the Secretary of State over the finances of the Protectorate is impaired shall be assented to by the Secretary of State, unless the Treasury are satisfied that satisfactory arrangements have been made for the repayment of any money outstanding on account of advances made under this Act to that Protectorate.

3. This Act may be cited as the East African Protectorates (Loans) Act, 1914. Short title.

SCHEDULE.

MAXIMUM AMOUNT OF ADVANCES. Section 1 (2).

	£
East Africa Protectorate	1,855,000
Nyasaland	816,000
Uganda	329,000

CHAPTER 39.

An Act to extend the Qualification for Membership of County, Town, and Parish Councils in Scotland.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of qualification to be elected on county, town, or parish council.

1.—(1) Any person of either sex, of full age, and not subject to any legal incapacity shall be qualified to be elected a councillor of the council of any county, burgh, or parish in Scotland if that person has resided within such county, burgh, or parish, as the case may be, during the whole of the twelve months preceding the election:

Provided that a woman who is elected a councillor of the council of any county or burgh by virtue of this Act shall be subject to the provisions of subsection (1) of section one of the Qualification of Women (County and Town Councils) (Scotland) Act, 1907.

7 Edw. VII. c. 48.

(2) The qualification under this provision shall not repeal or take away any other qualification, and shall not (except as hereinafter in this Act provided) remove or affect any disqualifications.

Designation of persons qualified by virtue of this Act in nomination papers, &c.

2. In the case of any person qualified under this Act to be elected a councillor of the council of any county, burgh or parish whose name does not appear on the county council, municipal, or parish council register, as the case may be, the name and place of abode of such person shall be a sufficient designation for the purpose of any nomination paper or intimation of nomination, or any withdrawal paper or notice of withdrawal, and sections forty-three and forty-five and Schedules IV. and V. of the Town Councils (Scotland) Act, 1900, section five of the Town Councils (Scotland) Act, 1903, and subsection (4) of section seventeen and Schedules II. and III. of the Local Government (Scotland) Act, 1894, are hereby modified accordingly.

3 Edw. VII. c. 34.

Interpretation.

3. In this Act the words "county," "burgh," and "parish" have the meanings respectively assigned to them in the Local Government (Scotland) Act, 1889, the Town Councils (Scotland) Act, 1900, and the Local Government (Scotland) Act, 1894.

Repeal.

4. The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule in so far only as the enactments so repealed are inconsistent with this Act.

Short title and extent.

5.—(1) This Act may be cited as the County, Town, and Parish Councils (Qualification) (Scotland) Act, 1914.

(2) This Act shall apply to Scotland only.

SCHEDULE.

Section 4.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
52 & 53 Vict. c. 50.	Local Government (Scotland) Act, 1889.	Section seven.
57 & 58 Vict. c. 58.	Local Government (Scotland) Act, 1894.	Subsection (1) of section nineteen.
63 & 64 Vict. c. 49.	Town Councils (Scotland) Act, 1900.	Paragraph (1) of section thirteen.

CHAPTER 40.

An Act to amend Subsection (5) of Section seventy-one of the Diseases of Animals Act, 1894.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 57 & 58 Vict. c. 57, s. 71 (5).

1. The maximum amount which may be levied in the whole under section seventy-one of the Diseases of Animals Act, 1894, shall be such sum as is equivalent (taken with any money carried to the Cattle Plague Account before the commencement of the Contagious Diseases (Animals) Act, 1878, and with any sums levied under that Act) to a poundage of one shilling in the pound on the net annual value of the property in all the administrative counties of Ireland, and accordingly subsection (5) of the said section, as amended by any subsequent enactment, shall have effect with the substitution of one shilling for eight pence, but nothing in this Act shall affect the limit imposed by that subsection upon the sum which may be levied at any one time.

41 & 42 Vict. c. 74.

Extent and short title.

2. This Act shall apply to Ireland only and may be cited as the Diseases of Animals (Ireland) Act, 1914, and the Diseases of Animals Acts, 1894 to 1911, and this Act may be cited together as the Diseases of Animals (Ireland) Acts, 1894 to 1914.

CHAPTER 41.

An Act to amend the Law relating to Intermediate Education in Ireland and for other purposes connected therewith. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Register of intermediate school teachers.

1.—(1) The Lord Lieutenant may constitute a Registration Council consisting of representatives of—

(*a*) the teaching profession in Ireland ;

(*b*) the Intermediate Education Board for Ireland ;

(*c*) the Department of Agriculture and Technical Instruction for Ireland ; and

(*d*) such universities and other bodies interested in education as ought, in the opinion of the Lord Lieutenant, to be represented thereon.

(2) There shall be assigned to the council the duty of framing, with the approval of the Lord Lieutenant, regulations for a register of the intermediate school teachers in Ireland who satisfy the conditions of registration prescribed by the regulations and apply to be registered.

(3) The register shall be formed and kept by the Intermediate Education Board for Ireland (in this Act referred to as the Board) in manner prescribed by the regulations.

Provision of money for Teachers' Salaries Grant.

2. From and after the commencement of this Act there shall be paid to the Board in each year out of moneys provided by Parliament a sum not exceeding forty thousand pounds, and an amount equivalent to the sum so paid (in this Act referred to as the Teachers' Salaries Grant) shall be applied by the Board in manner provided by rules made by the Lord Lieutenant under this Act and approved by the Treasury.

Power to make rules.

3.—(1) The Lord Lieutenant may make rules for carrying this Act into effect, and in particular for the purpose of prescribing, with the approval of the Treasury, the manner in which the Teachers' Salaries Grant is to be applied, and for the purpose of defining the constitution and regulating the procedure of the Registration Council.

(2) All rules made in pursuance of this section shall be laid before both Houses of Parliament within twenty-one days next after the same have been made, if Parliament is then sitting, or, if Parliament is not then sitting, within twenty-one days after the commencement of the then next ensuing session,

and, if such rules are disapproved by either House of Parliament within forty days after the same have been so laid before Parliament, such rules, or such part thereof as may be so disapproved, shall thereupon become void and of no effect.

Short title and construction.

4. This Act may be cited as the Intermediate Education (Ireland) Act, 1914, and shall be construed as one with the Intermediate Education (Ireland) Acts, 1878 to 1913, and this Act and those Acts may be cited collectively as the Intermediate Education (Ireland) Acts, 1878 to 1914.

CHAPTER 42.

An Act to amend the Law relating to Examinations for Certificates of Competency. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Examinations for certificates of competency as masters or mates.

1.—(1) For the purpose of granting certificates of competency as masters or mates to persons desirous of obtaining such certificates, examinations shall be held at such places as the Board of Trade direct.

(2) The Board of Trade may appoint times for the examinations, and may appoint, remove, and reappoint examiners to conduct the examinations, and determine the remuneration of those examiners, and may regulate the conduct of the examinations and the qualification of the applicants, and may do all such acts and things as they think expedient for the purpose of the examinations.

57 & 58 Vict. c. 60.

(3) Sections ninety-four and ninety-five of the Merchant Shipping Act, 1894, are hereby repealed.

Short title and construction.

2. This Act may be cited as the Merchant Shipping (Certificates) Act, 1914, and the provisions of this Act shall be construed as if they were contained in Part II. of the Merchant Shipping Act, 1894; and the Merchant Shipping Acts, 1894 to 1913, and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1914.

CHAPTER 43.

An Act to amend the Law of Entail in Scotland.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Entail (Scotland) Act, 1914.

Entail Act, 1685, not to apply to future deeds.

2. The Entail Act, 1685, shall not apply to any deed relating to land in Scotland dated after the passing of this Act, the effect of which would be to entail such land, and no such deed shall be recorded in the register of entails; and any prohibition of alienation, contracting debt, or altering the order of succession, and any clause of consent to registration in the register of entails in any such deed shall be null and void:

Provided that—

(*a*) where at the passing of this Act any Act of Parliament, deed, or writing is in operation whereby any money or other property, heritable or moveable, is held or invested for the purpose of purchasing land to be entailed, or whereby any land is directed to be entailed, but the direction has not been carried into effect, the date at which such Act of Parliament, deed, or writing first came into operation shall, for the purposes of this section, be held to be the date of any entail to be made in execution of the trust or direction whatever be the actual date of such entail; and

(*b*) for the purposes of this section any testamentary or mortis causa deed or writing made and executed before the passing of this Act by a person alive at the passing of this Act, shall be deemed to be dated after the passing of this Act, except in the case where such person dies within twelve months after such passing, or in the case where such person ceases or has ceased to be of sound disposing mind before the expiry of the said twelve months.

Further facilities for disentail, &c.

3. Where in any application to the Court of Session relating to an entailed estate in Scotland the value in money of the expectancy or interest therein of any heir entitled to succeed thereto has been ascertained, it shall not be necessary for the sum so ascertained to be consigned or paid into bank in name of such heir; provided that security for the amount so ascertained in favour of such heir be given over the estate which is the subject of the application postponed only to such

securities, if any, as validly affect and such debts or provisions, if any, as might be made validly to affect such estate or the rents thereof, or any part of such estate or rents, at the date of such application, not being securities granted by the heir of entail in possession affecting only his life-interest; and if there be more than one such heir entitled to succeed, their securities shall rank pari passu.

Power to grant feus.

4. Without prejudice to any powers, whether statutory or otherwise, already enjoyed by an heir of entail in possession of an entailed estate in Scotland to grant feus of any part of such estate, any such heir in possession may, notwithstanding any prohibition or limitation in the deed of entail, or in any Act of Parliament, grant feus of any part or parts of such estate, and that for such feu-duty as such heir shall think fit; but excepting from the provisions of this section the mansion house, offices, garden, orchards, and policies or enclosures adjacent to or in connexion with the mansion house, in so far as such offices, garden, orchards, policies, or enclosures are necessary to the amenity of the mansion house:

Provided that it shall not be lawful for such heir of entail in possession in virtue of the provisions of this section—

(*a*) to grant any feu unless the nearest heir of entail, being of lawful age and subject to no legal incapacity, shall consent thereto and shall sign the feu-charter, feu-contract, or other deed constituting the feu in token of such consent, or unless in the event of such nearest heir refusing or withholding such consent or signature, or in the event of the nearest heir not being of full age or being subject to any legal incapacity, the sheriff of the county within which the entailed estate or the part thereof proposed to be feued is situated, upon the application of such heir of entail in possession duly intimated to such nearest heir (who shall be entitled to appear and object), shall have found that the granting of such feu is in accordance with the provisions of this section, and that the feu-duty is in all the circumstances fair and reasonable; or

(*b*) to feu more than ten acres of land to or for behoof of the same person; or

(*c*) to take any grassum or valuable consideration other than the feu-duty for granting any such feu.

Obligations in leases. 37 & 38 Vict. c. 94.

5.—(1) Subject to the limitation provided in section twelve of the Conveyancing (Scotland) Act, 1874, as to the liability of an heir for the debts of his ancestor, and notwithstanding any fetters of entail, any condition or obligation undertaken by an heir of entail in possession of an entailed estate in Scotland in any lease of a farm granted by him as proprietor of such estate, or in any contract of agreement ancillary to any such lease, binding such heir of entail and his successors or

representatives to take over from the tenant at the termination of the lease the sheep stock of the farm let by such lease, shall, in case of the lessor's death before fulfilment of such condition or obligation and to the extent of the normal and regular sheep stock of the farm and the value thereof to an incoming tenant, as such value shall be ascertained as herein-after provided, devolve and be binding upon the heir of entail in possession of the estate at the time when such condition or obligation becomes prestable, and such last-mentioned heir of entail and his heirs and executors and representatives whosoever shall, to the extent and value foresaid, and unless the lessor have otherwise provided, be liable to relieve the other heirs and the executors and personal representatives of the lessor of such condition or obligation, and to repay to the extent foresaid to such other heirs, executors, or personal representatives of the lessor any sums of money which they or any of them may have been liable to pay and may have paid under and in virtue of such condition or obligation.

(2) For the purposes of this section the value to an incoming tenant of the normal and regular sheep stock on any farm shall, notwithstanding the provisions of the Agricultural Holdings (Scotland) Amendment Act, 1910, or any agreement providing for a different method of arbitration contained in the lease or other deed by which such condition or obligation is constituted, be determined by a single arbiter appointed by the parties mutually, whom failing by the Board of Agriculture for Scotland, in accordance with the provisions of section eleven of the Agricultural Holdings (Scotland) Act, 1908, and the procedure in such arbitration shall be regulated by the rules set out in the Second Schedule to the said last-mentioned Act, except that rules ten and sixteen of the said schedule shall not apply to such arbitration.

10 Edw. vii. and 1 Geo. v. c. 30.

8 Edw. vii. c. 64.

(3) Nothing in this section contained shall prejudice or affect the right of the tenant to enforce any such condition or obligation as aforesaid against the heirs, executors, and representatives whomsoever of the lessor in the same way as if this Act had not been passed.

(4) This section shall not apply to any condition or obligation undertaken in any lease which terminated before the passing of this Act, or in any contract or agreement ancillary to any such lease.

Effect of death of heir of entail in possession on subsisting lease of mansion house.

6. Notwithstanding any prohibition or any rule of law to the contrary, where at the death of the heir of entail in possession of any entailed estate in Scotland the mansion house, offices, gardens, and policies of such estate are in whole or in part in the occupation of a tenant under a lease granted or adopted by such deceased heir of entail in possession, the lease shall not be determined by such death until the next term of Whitsunday or Martinmas which shall occur not less than three months after the date of such death; provided that the rent effeiring to the period between the date of such death and the termination of the

lease shall be payable to the next heir or heirs of entail who shall succeed to such estate.

Contract for the sale of growing timber.

7. Where the heir of entail in possession of any entailed estate in Scotland has sold or entered into a contract for the sale of any timber growing thereon which he is lawfully entitled to sell, but the timber so sold, or any part thereof, has not been severed from the ground at the date of the seller's death, such sale or contract to sell shall nevertheless be valid and enforceable as against the heir or heirs of entail who may succeed to the seller in the possession of the said estate, to the same extent as it would have been valid and enforceable against the seller had he survived the completion of the severance:

Provided that—

(*a*) the price paid or contracted to be paid for such timber, where no part thereof has been severed from the ground at the date of the seller's death, or where some part thereof has been so severed, then so much of such price as effeirs to the remainder shall be a debt due and payable by the purchaser to the heir or heirs in possession of such estate at the date or dates of severance; and

(*b*) the purchaser of such timber shall, if so required by the heir or heirs succeeding to the seller thereof, either consign in bank the amount of such price or part thereof as the case may be, or at the purchaser's option find caution for the payment of the same before beginning or continuing the severance of such timber.

Application of sections 47, 48, and 49 of 11 & 12 Vict. c. 36.

8. In any case where—

(*a*) the provisions of section forty-seven of the Entail Amendment Act, 1848, would apply to any trust disposition, or settlement, or other deed of trust whatsoever, and to the right of any party thereunder; or

(*b*) the provisions of section forty-eight of the said Act would apply to any deed and to the right of any party thereunder; or

(*c*) the provisions of section forty-nine of the said Act would apply to any tack, assignation of tack, or other deed or writing, and to the right of any party thereunder;

if such trust disposition, or settlement, or other deed of trust, or deed, or tack, assignation of tack, or other deed or writing, as the case may be (herein-after in this section referred to as "such writing"), had been dated on or after the first day of August one thousand eight hundred and forty-eight, the provisions of the said sections respectively shall, from and after the passing of this Act, apply to such writing and to the right of any party thereunder, notwithstanding that the same be

dated prior to the said first day of August; provided that in the application of the said provisions respectively to such writing, and to the right of any party thereunder, the date of such writing shall be deemed to be the passing of this Act.

Application to Scotland of 39 & 40 Geo. iii. c. 98.

9. The second section of the Accumulations Act, 1800, shall not apply to Scotland; and the restrictions in the said Act contained shall take effect and be in force with respect to any provision or direction in operation at the passing of this Act to which, but for the enactment of this section, the said second section would continue to apply, as if the date of the execution of the deed, will, codicil, or other writing wherein such provision or direction is contained, had been the passing of this Act.

Interpretation.

10. In this Act, unless the contrary intention appears, the word "land" shall include all heritages, and the words "heir of entail" shall include the institute.

CHAPTER 44.

An Act to extend the Metropolitan Police Act, 1860, to Scotland. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of the Metropolitan Police Act, 1860, to Scotland.

23 & 24 Vict. c. 135.

1. The Metropolitan Police Act, 1860, which authorises the employment of constables of the Metropolitan Police Force in Naval Yards and Military Stations in England and Wales shall be extended so as to authorise the employment of such constables in like manner in Naval Yards in Scotland, and that Act (including the provisions as to the manner in which charges and expenses are to be defrayed under that Act) shall apply accordingly, and a constable of the metropolitan police when so employed shall, subject to the provisions of the said Act, have all the powers, protections and privileges of a constable in Scotland:

Provided that in its application to Scotland the expression "yard," where used in the said Act, shall be construed so as to include not only such yards as are mentioned in that Act, but also any other naval establishments.

Short title.

2. This Act may be cited as the Metropolitan Police (Employment in Scotland) Act, 1914.

CHAPTER 45.

An Act to amend the Law relating to the Education of Defective and Epileptic Children in England and Wales.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Duty to provide for education of mentally defective children. 62 & 63 Vict. c. 32.

1.—(1) It shall be the duty of the local education authority for the purposes of the Elementary Education (Defective and Epileptic Children) Act, 1899 (herein called the principal Act) to make suitable provision, either alone or in conjunction with other local education authorities, for the education of children belonging to their area whose age exceeds seven years and who are ascertained to be mentally defective within the meaning of the principal Act, and accordingly after the words "they may" in subsection (1) of section two of the principal Act there shall be inserted the words "and in the case of mentally defective "children whose age exceeds seven years shall" :

Provided that the duty of a local education authority under this Act shall not include—

(i) A duty to make provision for boarding and lodging a mentally defective child unless the Board of Education are satisfied, after considering the report of a duly qualified medical practitioner approved by the Board under section one of the principal Act, and after consultation with the local education authority, that suitable provision for the child's education cannot be made in any other way, and unless the grants payable out of moneys provided by Parliament in respect of a mentally defective child, so boarded and lodged, amount to not less than one-half of the cost of conveying such child to and from any school so provided, and of educating, boarding, and lodging and medically attending and treating that child (including, in the case of a school provided by a local education authority, expenditure out of income by the authority by way of interest on or repayment of capital raised, or by way of rent or other similar payment, for the purposes of the provision of the school) ; or

(ii) A duty to establish a certified school for boarding and lodging mentally defective children, unless the Board of Education are satisfied, after considering the reports of such medical practitioners, and after such consultation as aforesaid, that there are not less than forty-five such children belonging to the area for whose education suitable provision cannot be made in any other way.

3 Edw. vii. c. 13.

(2) Subsection (6) of section two of the principal Act and the Elementary Education Amendment Act, 1903, are hereby repealed.

(3) In case of doubt as to whether a child is or is not mentally defective within the meaning of the principal Act, the matter shall be determined by the Board of Education.

Discontinuance of certified school.

2. In the event of a local education authority proving to the satisfaction of the Board of Education that the average attendance of mentally defective children at a certified class or school provided by such authority has, during the previous three years, been less than fifteen, it shall be lawful for such authority to discontinue the maintenance thereof, and thereupon the authority shall make such alternative provision for the mentally defective children belonging to their area as the Board of Education, after consultation with such authority, may approve.

Consultation of parents and co-operation with other authorities and persons.

3.—(1) A local education authority, before deciding what provision shall be made for the education of a mentally defective child, shall endeavour to ascertain the wishes of the parents of the child and shall, so far as possible, give effect to their wishes.

(2) A local education authority, in the exercise and performance of their powers and duties under the principal Act and this Act, shall have regard to the existing supply of certified schools and classes, and shall, so far as possible, co-operate with other authorities or persons providing or having power to provide certified schools and classes.

Delegation of authority to the council of a county.

4. The council of a non-county borough or urban district having powers and duties under the principal Act and this Act may, at any time after the passing of this Act, by agreement with the council of the county in which the borough or urban district is situate, and with the approval of the Board of Education, relinquish in favour of that council any of those powers or duties, and in that case the powers or duties of the authority so relinquished shall cease, and the area of the authority shall, as respects those powers or duties, be part of the area of the county council.

Enforcement of obligations of parents of mentally defective and epileptic children.

5.—(1) If a local education authority are satisfied, after consultation with the parent of a mentally defective or epileptic child over seven years of age, that the parent is not making suitable provision for the child's education, they may require the parent of the child to send the child to a certified class or school suitable for the child, and, if he fails without reasonable excuse to do so, may by complaint apply to a court of summary jurisdiction for an order requiring the child to be sent to a certified class or school suitable for the child and willing to receive him, being either such as the parent may select, or, if he does not select a suitable class or school, then such class or school as the court thinks expedient, and such an order shall be

a sufficient authority for the conveyance of the child to the class or school named in the order:

Provided that no order shall be made requiring the child to be sent to a certified class or school which is not within reach of the child's residence or to a boarding school without the consent in writing of the parent, unless it is proved to the satisfaction of the court that such consent is unreasonably withheld, or that the parent cannot be found, but consent shall not be deemed to be unreasonably withheld if withheld with the bonâ fide intention of benefiting the child:

Provided further that if the court shall refuse to make an order the court, unless for good cause it shall otherwise order, shall award costs to the parent, and the costs so awarded shall, unless some reason to the contrary appears, include such sum as compensation for the expense, trouble, and loss of time incurred in or incidental to his attendance at the court as to the court may seem just and reasonable.

(2) The provisions of this section shall be in substitution for, and not in addition to, the power of a court of summary jurisdiction, on an attendance order not being complied with, to order the child to be sent to an industrial school under section twelve of the Elementary Education Act, 1876, as applied by the principal Act. 39 & 40 Vict. c. 79.

(3) Nothing in this section shall be construed as affecting the power of a parent to withdraw a child from school on proof to the satisfaction of the local education authority that he will make suitable provision for the child's education in some other way.

Certification of children.

6. Section one of the principal Act shall be construed and have effect as if the following words were added at the end of subsection (3) of that section:—

"Such duly qualified medical practitioner shall, if so directed by the local education authority, or, if he is so requested by the parent of the child, before giving a certificate under this section, consult the head teacher of the school, if any, which the child has been attending, or such other person as the local education authority may appoint for the purpose, and a copy of any report made by the head teacher or such other person shall be forwarded to the local education authority."

Return of certificate.

7. When a child is discharged from a special school or class on the ground that he is no longer mentally defective the local education authority shall return to the parent of the child any certificate certifying that the child was mentally defective, and such certificate shall not be received in evidence in any legal proceedings without the consent of the child or its parent.

Determination of residence.

8.—(1) For the purposes of the principal Act and this Act a child shall be deemed to belong to the area in which the

residence or permanent home of the child is for the time being situate:

Provided that, in the case of a child in a school or boarded out in pursuance of the principal Act or this Act, the local education authority who are making provision for his education shall continue liable to make such provision pending the determination of any question which may be referred to the Board of Education under this section.

(2) If any question arises as to the area to which a child is to be deemed to belong, that question shall be determined by the Board of Education, and the Board on determining the question may direct such financial adjustments between the local education authorities concerned as they may consider just.

Short title and commencement.

9.—(1) This Act may be cited as the Elementary Education (Defective and Epileptic Children) Act, 1914, and shall be construed with the principal Act, and that Act and this Act may be cited together as the Elementary Education (Defective and Epileptic Children) Acts, 1899 to 1914; and the Education Acts, 1870 to 1911, the Education (Choice of Employment) Act, 1910, and this Act may be cited together as the Education Acts, 1870 to 1914.

(2) This Act shall come into operation on the first day of January nineteen hundred and fifteen.

CHAPTER 46.

An Act to ensure the Purity of Milk Supplies and to regulate Dairies in Scotland, and for other purposes connected therewith. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extent and commencement of Act.

1. This Act shall extend to Scotland only, and shall come into operation on the first day of January one thousand nine hundred and fifteen or such later date, not being later than the first day of October, one thousand nine hundred and fifteen, as the Local Government Board for Scotland may appoint.

Definition.

60 & 61 Vict. c. 38.

2. Expressions used in this Act shall (unless such meaning is inconsistent with the context) have the meanings assigned to them in the Public Health (Scotland) Act, 1897, subject to the following additions and modifications: the word "dairy" shall include any creamery, farm, farmhouse, cowshed, byre, milk store, milk shop, or other premises from which milk is sold or supplied for sale or in which it is kept for purposes of sale, or which are used for the making of butter, cheese, or other milk products for human consumption for purposes of sale, but shall

not include premises from which a person sells milk only in small quantities and for their own consumption to persons in his employment or to neighbours; the word "dairyman" shall include any occupier of a dairy and any person carrying on the trade of cowkeeper or purveyor of milk or maker of butter or cheese or other milk products for human consumption for purposes of sale, but shall not include a person who sells milk only in small quantities and for their own consumption to persons in his employment, or to neighbours, and if any question shall arise as to whether a dairy or dairyman is entitled to exemption under this provision such question shall be determined by the Local Government Board for Scotland herein-after referred to as the Board, whose decision shall be final; and the word "milk" shall include cream, skimmed milk, separated milk, and butter milk.

Appointment of veterinary inspector and arrangements for bacteriological examinations.

3.—(1) Every local authority may, and when required by the Board shall, appoint one or more members of the Royal College of Veterinary Surgeons to act as veterinary inspector or inspectors under this Act, and shall pay to such inspector or inspectors a salary approved by the Board, and the name and address and salary of such inspector or inspectors shall be reported by the local authority to the Board immediately on his appointment.

(2) A veterinary inspector so appointed shall not engage in private practice in any district in which he holds office save with the consent of the Board. Two or more local authorities may, and if required by the Board shall, combine in appointing a veterinary inspector. No veterinary inspector appointed by the local authority under this Act shall be removable from office, except by or with the sanction of the Board.

(3) A veterinary inspector shall, if required by the local authority, nominate a duly qualified substitute, for whom he shall be responsible, and if the local authority shall approve of the nomination, such substitute shall, in the illness or absence of the veterinary inspector, have the same powers and duties as the veterinary inspector under this Act; and the local authority may at any time, with the consent of the Board, withdraw their approval of such substitute, and may require the veterinary inspector to name for their approval some other duly qualified substitute, and the local authority shall report to the Board the name and address of any substitute nominated and approved under this section. A local authority shall, with a view to carrying on the work pertaining to the office during the period between the resignation or death of a veterinary inspector and the appointment of a successor, have power to make an ad interim appointment for such period as the Board may approve.

(4) In districts where a veterinary inspector is not appointed in terms of this section the duties laid on a veterinary inspector under this Act shall be performed by a veterinary surgeon approved by the local authority in terms of section forty-three

of the Public Health (Scotland) Act, 1897. Where a veterinary inspector is appointed in terms of this section, references in section forty-three of the Public Health (Scotland) Act, 1897, to a veterinary surgeon shall be construed as references to the veterinary inspector so appointed.

(5) The local authority shall, subject to the approval of the Board, regulate the duties, for the purposes of this Act, of the veterinary inspector or veterinary surgeon as aforesaid, and his relations to the other officers of the local authority.

(6) Where the county council of a county appoint a veterinary inspector, being a member of the Royal College of Veterinary Surgeons, under the Diseases of Animals Acts or any other Act which they administer, the person so appointed may, and if required by the Local Government Board shall, where the local authority is a district committee of the county council, be appointed the veterinary inspector under this Act within that district, and in that event the provisions of subsections (2) and (3) of section fifty-two of the Local Government (Scotland) Act, 1889, shall apply. In the application of the said subsection the expression "county medical officer," or "county sanitary inspector," shall be construed to mean "county veterinary inspector."

(7) A local authority may make arrangements for the bacteriological or other examination of specimens and samples taken for the purposes of this Act.

Inspection of dairies.

4.—(1) It shall be the duty of the medical officer of health or the sanitary inspector or any other duly authorised officer, as may be determined in writing by the local authority for the purpose, from time to time and once at least in every year, to inspect every dairy in the district and to report to the local authority whether such dairy is in conformity with this Act and the byelaws made in terms thereof.

(2) It shall be the duty of the veterinary inspector from time to time, and once at least in every year, to inspect the cattle in every dairy in the district and to report to the local authority the result of every such inspection.

(3) When the medical officer of health or sanitary inspector of any district is of opinion that any milk consigned to the district from any other district is contaminated or impure, or when the medical officer of health has reasonable ground for believing that any milk consigned as aforesaid is likely to cause any infectious disease or other illness, it shall be lawful for the medical officer of health, sanitary inspector, or veterinary inspector of the first-named district to inspect the dairy from which such milk has been consigned and to examine the cattle therein, and the dairyman and the persons in his employment shall give all reasonable facilities and assistance to such officers for such inspection and examination.

(4) The local authority may prescribe the form in which the reports under this section shall be made.

(5) Medical officers of health, sanitary inspectors, veterinary inspectors, or other officers authorised as aforesaid, shall be bound to make such returns and special reports to the Board in such form and at such times as the Board shall require.

Inspection of premises other than dairies.

5. It shall be lawful for the local authority to authorise the medical officer of health, the sanitary inspector, or any other officer, to inspect from time to time, and to examine the cattle in, any premises from which the occupier sells milk only in small quantities and for their own consumption to persons in his employment, or to neighbours, notwithstanding that such occupier is not a dairyman within the meaning of this Act, and such occupier, and persons in his employment, shall give all reasonable facilities and assistance to such officers for such inspection and examination.

Intimation of inspection of dairies.

6. Where any official of a local authority proposes to inspect any dairy in the district of another local authority, or to examine the cattle in such dairy under powers contained in this or any other Act, he shall give intimation by the readiest means available to the medical officer of health of the second-named district of the intention to make the said inspection or examination, so that, if circumstances permit, the medical officer of health, sanitary inspector, or veterinary inspector of the second-named district may be present at such inspection or examination.

Registration of dairies.

7.—(1) It shall not be lawful for any person to carry on the trade of dairyman in any premises unless such person has been given a certificate of registration by the local authority in respect of such premises.

(2) Every application for a certificate of registration shall be in such form, and be accompanied by such information, as may be prescribed by the local authority.

(3) Any person proposing to carry on the trade of a dairyman in any premises shall, not less than one month before beginning to occupy or use such premises as a dairy, lodge with the local authority an application for a certificate of registration. The local authority shall, before considering the application, obtain a report on the premises by their medical officer of health, sanitary inspector, or other officer or person authorised in writing by them. The local authority shall intimate to the applicant their decision on the application within one month from the receipt thereof and, in case of refusal, their reasons for so refusing: Provided that in the event of the death of the holder of a certificate of registration it shall be lawful for the executors, representatives, or disponees of the person so dying, on making an application for a certificate of registration as aforesaid, to carry on the trade of dairyman within the premises in respect of which such certificate was granted, from the date of such application being made, until the decision thereon is intimated by the local authority to the applicants.

(4) Provided that it shall be lawful for the local authority to grant a certificate of registration provisionally on conditions prescribed by the local authority, but such certificate of registration shall not take effect until the applicant has satisfied the local authority that such conditions have been fulfilled.

(5) Before deciding on any application for a certificate of registration, the local authority shall consider the reports on the premises obtained by them in terms of this Act, and any representation made to them, either in writing or at a meeting of the local authority, by any person interested or by the local authority of any district to which milk from the dairy is sent or is to be sent for sale.

(6) In respect of any person or premises the local authority may refuse to grant a certificate of registration or may revoke such certificate if—

(*a*) the person is or becomes unsuitable to carry on the trade of a dairyman ; or

(*b*) the premises are or become unsuitable to the purposes of the trade which is proposed to be carried on, or which is carried on therein.

(7) If a certificate of registration be granted, or be refused by the local authority, or be only granted provisionally, or if a certificate of registration be revoked, any person aggrieved may appeal in a summary manner to the sheriff, who may order the local authority to grant, restore or revoke the certificate of registration, and the decision of the sheriff shall be binding, and shall be final, except where it is pronounced by a sheriff-substitute, in which case it may be appealed to the sheriff. The sheriff or sheriff-substitute may award expenses to either party.

(8) Where a person sells from a cart, van, or other vehicle within a district, milk supplied from without the district, such cart, van, or vehicle shall, for the purposes of this section, be deemed to be premises within the district.

(9) Any person who shall carry on the trade of dairyman without a certificate of registration shall be guilty of an offence under this Act.

(10) The local authority shall keep a register of dairies and dairymen within their district certificated under this Act in such form as shall be prescribed by the Board.

(11) With respect to the granting of certificates of registration in the year nineteen hundred and fifteen the following provisions shall take effect (that is to say) :—

(*a*) A person carrying on the trade of dairyman without a certificate of registration under this section shall not be guilty of an offence thereunder prior to the twenty-eighth day of May nineteen hundred and fifteen or such later date as the Board may by order appoint ;

(*b*) An application for a certificate of registration may be lodged with the local authority at any time after the passing of this Act, and the local authority shall immediately after receiving such application have power to obtain the necessary reports on the premises of the applicant, provided that any such application lodged before the first day of January nineteen hundred and fifteen shall, for the purposes of this section, be deemed to have been lodged on that day, and the local authority shall not be bound to intimate their decision to the applicant within a less period than three months after that day.

Dairy byelaws.

8.—(1) It shall be the duty of every local authority, as soon as may be after the passing of this Act, to make byelaws for their district providing—

(*a*) for the inspection of cattle in dairies;

(*b*) for prescribing and regulating the structure, lighting, ventilation (including air and floor space), cleansing, drainage, washing, and scalding facilities, and water supplies of dairies and their appurtenants;

(*c*) for the prevention of impurities in milk intended for human consumption and for securing the cleanliness and health of the cows and the cleanliness of the persons and clothing of those engaged or assisting in the business, and of the milk, cows, dairies, sculleries, boiler-houses, and all utensils, vehicles, and vessels used for the reception, conveyance, storage, or sale of milk;

(*d*) for prescribing precautions to be taken by dairymen against infection or contamination.

Such byelaws shall apply to all dairies whether constructed before or after the passing of this Act, but byelaws under paragraph (*b*) of this subsection may, if the Board so require or allow, differentiate between such dairies as regards structure, lighting, ventilation (including air and floor space), and drainage.

(2) The provisions of sections one hundred and eighty-three to one hundred and eighty-seven inclusive of the Public Health (Scotland) Act, 1897, as to byelaws shall apply in the case of byelaws made or to be made under this section subject to the following modifications, viz.:—

(*a*) The Board shall before confirming any such byelaws obtain the concurrence of the Board of Agriculture for Scotland;

(*b*) The clerk shall furnish, on application, a copy of proposed byelaws, free of charge, to any dairyman within the district to which it is proposed that the same shall apply.

Any regulations made by the local authority under the Dairies, Cowsheds, and Milkshops Orders of 1885, 1887, and

1899, shall continue in force until the date on which byelaws made by the local authority under this section take effect, but thereafter shall cease to have force or effect.

(3) Any byelaw made by a local authority shall, if the Board so order, cease to have force or effect from the date prescribed in the order, but without prejudice to the making of a new byelaw or new byelaws.

Local authority to enforce Act.

9. It shall be the duty of the local authority to enforce the provisions of this Act and of any byelaws made in terms thereof, and to exercise the powers vested in them thereby.

Procedure if local authority neglect duty.

10. If any local authority shall fail to perform any duty imposed on them by this Act, the Board may apply to the sheriff by summary petition, and the sheriff may pronounce such decree as shall in his judgment be required to enforce the provisions of this Act, and may find either party liable in expenses; or if, in the opinion of the Board, the circumstances so require, the Board may, with the approval of the Lord Advocate, apply by summary petition to either Division of the Court of Session, or during vacation or recess to the Lord Ordinary on the Bills, which Division or Lord Ordinary are hereby authorised and directed to do therein and to dispose of the expenses of the proceedings as to the said Division or Lord Ordinary shall appear to be just.

Appeal to Board by local authority to enforce Act.

11. If any local authority has reason to believe that the provisions of this Act or of the byelaws made in terms thereof are not carried out in any district from which milk is consigned to the district of the said local authority, the said local authority shall make complaint to the local authority of the district from which the milk is consigned, and if the cause of complaint be not removed within a reasonable time may apply to the Board, who shall inquire into the circumstances and shall take such proceedings as may be necessary for securing that the provisions of the Act and of the byelaws are carried out. For the purposes of such inquiry the Board shall have the same powers as they have for the purposes of an inquiry under the Public Health (Scotland) Act, 1897.

Regulations by Board.
7 Edw. vii. c. 32.

12.—(1) The Board shall make regulations under the Public Health (Regulations as to Food) Act, 1907, for the prevention of danger arising to public health from the importation of milk, butter, cheese, or other milk products intended for sale for human consumption.

(2) The Board, with the concurrence of the Board of Agriculture for Scotland, may from time to time make such general or special orders as they think fit for carrying this Act into effect, including orders for the following purposes or any of them :—

(*a*) The measures to be taken for cooling milk and otherwise for protecting milk against infection or contamination :

(*b*) The prohibition of the use of colouring matter in milk intended for sale for human consumption, and of the addition to milk, other than buttermilk, intended for sale for human consumption, of skimmed or separated milk or water or any other substance, and of the sale for human consumption of milk to which such an addition has been made :

(*c*) The prohibition of the use of the word "milk" as the name of any substance not wholly derived from the mammary gland of an animal when such substance is offered for sale, and of the use of the words "butter" or "cheese" as the name of any substance not manufactured from milk so derived when such substance is offered for sale :

(*d*) The manner of conveyance of milk intended for sale for human consumption, including the proper fastening, sealing, and identification of churns and vessels used for such conveyance :

(*e*) The regulation of the mixing of the milk in one such churn or vessel with the milk in another such churn or vessel :

(*f*) The labelling or distinctive marking of the receptacles of milk for sale for human consumption.

(3) Section two of the Public Health (Regulations as to Food) Act, 1907, shall apply to general or special Orders made by the Board under this Act.

Milk of diseased cow not to be sold.

13.—(1) It shall be an offence under this Act for any person to consign, sell, offer, or expose or keep for sale for human food, or to use or suffer to be used in the manufacture of products for human consumption, the milk of any cow which is suffering from tuberculosis with emaciation, or from tuberculosis of the udder, or from any sore on the teats accompanied by suppuration or bleeding, or from any disease liable to infect or contaminate the milk, or of any cow which is giving tuberculous milk, unless he proves that he did not know and had no reason to suspect that the milk was the milk of such a cow.

(2) Where milk is sold or exposed or kept for sale, it shall be presumed to be sold or exposed or kept for sale for human consumption, or for use in the manufacture of products for human consumption unless the contrary is proved.

Dairyman to notify disease, &c.

14. Every dairyman who has in his dairy any cow which appears to be suffering from any sore on the teats accompanied by suppuration or bleeding, or from any disease liable to infect or contaminate the milk, or any cow which to his knowledge is giving tuberculous milk, shall forthwith give written notice thereof to the local authority stating the situation of the dairy.

Notification of employees suffering from illness.

15. If any person resident at or employed in connection with any dairy, or who resides in the same house as any person so employed, shall show symptoms of any infectious disease,

the dairyman, on becoming aware thereof, shall forthwith report to the medical officer of health for the district the existence of such illness.

Notification to other medical officers.

16. The medical officer of health of the district in which milk is produced shall forthwith furnish to the medical officer of health of the district to which the milk is consigned, or in which it is sold or offered or exposed or kept for sale for human food, information regarding all cases of infectious disease of which he is cognisant occurring amongst the persons employed or in the families of persons employed, or amongst the persons residing at the dairy from which the milk is consigned, and for the purposes of this section the dairyman shall furnish such first-mentioned medical officer of health with a list of the districts to which his milk is consigned.

Persons suffering from disease not to assist in dairy.

17.—(1) It shall not be lawful for any person to milk cows or to handle milk vessels who is suffering from or showing symptoms of any infectious disease, or who is suffering from any suppurating sore or from sore throat or diarrhœa, and has not been authorised by a certificate from a duly qualified medical practitioner bearing that he may milk cows or handle milk vessels without risk of spreading disease; and it shall not be lawful for a dairyman to allow any such person so to do unless authorised as aforesaid. The holder of any such certificate shall, if so required, produce it for inspection by the medical officer of health.

(2) It shall not be lawful for any person who has recently been in contact with a person who is suffering from any infectious disease, or for any person who resides in a house where any infectious disease exists, to milk cows or to handle milk vessels or in any way to take part or assist in the conduct of the trade or business of a dairyman, unless proper precautions against spreading such disease are taken; and it shall not be lawful for a dairyman to allow any such person so to do without taking such precautions.

Procedure for the stoppage of milk supplies.

18.—(1) If the medical officer of health of any district has evidence that any person in the district is suffering from any infectious disease or any illness attributable to milk supplied within the district from any dairy situated within the district, or that the milk from any such dairy is likely to cause any such disease or illness to any person consuming the milk, such medical officer shall visit the dairy, and the medical officer shall examine the dairy and every person engaged in the service thereof, or resident upon the premises, or who may be resident in any premises where any person employed in such dairy may reside, and shall, if necessary, require the veterinary inspector to accompany him and to examine the animals therein, and the medical officer shall forthwith submit to the local authority a

report of the results of his examination together with a report by the veterinary inspector if such inspector has accompanied him.

(2) If the medical officer of health of any district has evidence that any person in the district is suffering from any infectious disease or any illness attributable to milk from any dairy without the district, or that the milk from any such dairy is likely to cause any such disease or illness to any person residing in the district, such medical officer shall forthwith intimate the same to the medical officer of health of the district in which such dairy is situated, with a statement of the evidence in his possession, and the last-mentioned medical officer shall be bound, as soon as practicable, to examine the dairy and, where the case so requires, every person engaged in the service thereof or resident upon the premises, or who may be resident in any premises where any person employed in such dairy may reside, and shall, if necessary, require the veterinary inspector of the district to accompany him and to examine the animals therein, previous notice of the time of such examination having been given to the medical officer of the first-mentioned district in order that he and the veterinary inspector of that district may, if they so desire, be present at the examinations referred to, and the medical officer of the second-mentioned local authority shall forthwith submit to that local authority a report of the results of his examination together with a report by the veterinary inspector if such inspector has accompanied him.

(3) The local authority of the district in which the dairy is situated shall meet forthwith, due notice of the meeting, together with a copy of all reports on the case, having been given to the dairyman, who shall be entitled to appear at the meeting, and shall consider the report or reports, together with any other evidence that may be submitted by parties concerned, and shall either make an order requiring the dairyman not to supply any milk or butter from the dairy until the order has been withdrawn by the local authority or resolve that no such order is necessary, provided that the medical officer shall, pending the decision of the local authority under this subsection, have power to make an interim order requiring the dairyman not to supply any milk or butter from the dairy. It shall be in the power of the local authority to make an order applicable to the whole or part of the dairy or to all or any of the cows therein as the local authority may, in the circumstances, see fit. The order shall specify the grounds on which it is made.

(4) Where proceedings are taken or any order is made under this section by the local authority of a district other than a burgh, it shall not be competent to appeal to the county council against the said proceedings or against said order.

(5) Where any such order applies to a dairy from which milk is supplied to any district other than that in which it is

situated, the local authority shall forthwith transmit a copy of the order to the local authority of every such district.

(6) Any such order shall be forthwith withdrawn on the local authority, or their medical officer on their behalf, being satisfied that the milk from the dairy is no longer likely to cause infectious disease, and the local authority or medical officer shall forthwith intimate such withdrawal to the dairyman and to the local authority of every district within which milk is supplied from the dairy.

(7) It shall be open to any local authority or dairyman aggrieved by any such resolution or order, or withdrawal of order, or by the failure to make such an order, to appeal in a summary manner to a sheriff having jurisdiction in the district within which the dairy is situated, and the sheriff may either make an order requiring the dairyman to cease from supplying milk, or may vary or rescind any order which has been made by the local authority, and he may at any time withdraw any order made under this section. Pending the disposal of any such appeal, the order shall remain in force unless previously withdrawn.

(8) Any proceedings in respect of a contravention of any order under this section shall be taken before a sheriff having jurisdiction in the district where the dairy is situated.

(9) A dairyman shall not be liable in damages for breach of contract if the breach be due to an order under this section.

(10) If any dairyman sustain any damage by reason of an order under this section, and the damage has not arisen by reason of his default, the local authority making the order shall be liable to pay to the dairyman full compensation for such damage. If the order arose out of proceedings under subsection (2) of this section, the local authorities therein mentioned shall be jointly liable to pay in equal proportions full compensation to the dairyman for such damage. For the purpose of determining the amount of compensation payable under this section the provisions of section one hundred and sixty-four of the Public Health (Scotland) Act, 1897, shall apply. Where the districts mentioned in subsections (2) and (3) aforesaid are not within the jurisdiction of the same sheriff, it shall be competent for the sheriff of the district within which the dairy is situated to determine any action for recovery of compensation under this section.

Dairymen to produce list of customers and other information.

19. Whenever it shall be certified to the local authority, by the medical officer of health, that the outbreak or spread of infectious disease or any other illness within the district is, in the opinion of such medical officer, attributable to milk supplied by any dairyman, whether wholesale or retail, or to milk supplied by one or more of several such dairymen, whether wholesale or retail, or that infectious disease or any other illness is likely to be spread within the district by the milk so supplied,

or that any milk so supplied within the district is contaminated or impure—

(1) The local authority may require such dairyman, whether within or without the district, to furnish to them within a time to be fixed by them, being not less than twenty-four hours, a full and complete list of the names and addresses of all his customers so far as known to him, and such dairyman shall furnish such list accordingly, and the local authority shall pay to him for every such list at the rate of sixpence for every twenty-five names contained therein, such list to be treated as a confidential document and to be made use of only for the purposes of this Act; and any person who shall wilfully or knowingly offend against this enactment shall be guilty of an offence against this Act:

(2) The local authority may require such dairyman to furnish to them, within a time to be fixed by them, a full and complete list of the names and addresses of the farmers, dairymen, or other parties from whom, during a period to be specified, the milk, or any part of the milk which he sells or distributes was obtained, and also, if required, all necessary information to attest the consignment or delivery of such milk during such period, and such list and information shall be treated as confidential and shall be made use of only for the purposes of this Act; and every person who shall wilfully or knowingly offend against this enactment shall be guilty of an offence against this Act:

(3) In any case where the person liable to any penalty under this section is not resident within the district such penalty may be sued for, at the instance of the procurator fiscal, before the sheriff of the county in which such person is either resident or carries on business.

Power to enter and inspect dairies, &c.

20. Within their district the local authority and any officers appointed by them for the execution of this Act shall have power to enter, inspect, and examine at all reasonable times any dairy, and for the purposes of this Act the medical officer of health shall have power to examine any person employed or residing at any dairy and to require such person to provide him with such specimens of mucus, urine, or fæces as he may require for the purpose of bacteriological examination, and the veterinary inspector shall have power to examine the cattle in any dairy, and every dairyman and the persons in his employment shall give all reasonable facilities and assistance to the local authorities and their officers in the execution of this Act. An officer of the Board shall have the like powers of entry, inspection, and examination.

Power to take samples of milk.

21. The medical officer of health or sanitary inspector or veterinary inspector may, and if required by the medical officer of health of the district to which the milk is consigned or in which it is sold or exposed or deposited for sale, shall, personally or by a person exhibiting his authority in writing, take samples of milk for examination, such examination shall, in the case of samples taken at the request of the medical officer of health of the district to which the milk is consigned, or in which it is sold or exposed or deposited for sale, be made by or at the cost of the local authority of that district, and the said local authority shall pay all costs incurred by the said medical officer or sanitary inspector or veterinary inspector in obtaining and transmitting such samples for examination. Any dispute as to the amount of such costs shall be determined by the Board whose decision shall be final. The medical officer of health or sanitary inspector or veterinary inspector, or person authorised as aforesaid, may at any reasonable time require any cow to be milked in his presence, and may take samples of the milk, or, if he so require, a sample from any particular teat, and may also take samples of the fæces and urine of any cow or of any abnormal discharge of any cow. An officer of the Board shall have the like powers as are conferred on a medical officer of health by this section.

Power for veterinary inspector to apply tuberculin test.

22. A veterinary inspector may apply to any cow in any dairy within the district the tuberculin or other reasonable test for the purpose of discovering whether such cow is suffering from tuberculosis, provided that no such test shall be applied except with the previous consent in writing of the owner of such cow.

Local authority may appoint committees.

23. Any local authority may from time to time appoint a committee or committees for the exercise of all or any of their powers under this Act, whereof two shall be a quorum, unless a larger quorum be specified in their appointment.

Penalties.

24.—(1) Every person who shall fail to comply with any of the requirements of this Act or of any order made thereunder, or who obstructs any person acting under the authority or employed in the execution thereof, shall be guilty of an offence under this Act. Every person who shall be guilty of an offence under this Act shall be liable for every such offence, except where otherwise provided, to a penalty not exceeding ten pounds, and, if such offence shall continue, to a further penalty not exceeding five pounds for every day during which the offence continues.

(2) In addition to any pecuniary penalty imposed on any dairyman for an offence against this Act, or against any order or byelaw made under this Act, the sheriff may by summary order suspend his certificate of registration in respect of any premises for such period as may be specified in the order, or cancel such certificate, but in the latter case without prejudice to the right of the dairyman to make application for a new certificate of

registration. The dairyman shall be entitled to appeal against the order of the sheriff to the Lord Ordinary on the Bills in manner provided by section one hundred and fifty-six of the Public Health (Scotland) Act, 1897.

Recovery of penalties.

25. Except as otherwise provided penalties imposed under this Act shall be recoverable summarily before the sheriff having jurisdiction in the district in which the dairy is situated.

Expenses of local authority

26. All expenses incurred by the local authority for the purposes of this Act shall be chargeable on the public health general assessment leviable under the Public Health (Scotland) Act, 1897.

Amendment of Sale of Food and Drugs Acts as to warranties in the case of milk.

27. A warranty or invoice shall not be available as a defence to any proceedings under the Sale of Food and Drugs Acts, 1875 to 1907, where the article in respect of which the proceedings are taken is milk.

Milk depôts.

28. A local authority may, subject to the consent of the Board, establish and thereafter maintain depôts for the sale of milk specially prepared for consumption by infants under two years of age. For the purposes of this section a local authority shall have the same powers of acquiring land and borrowing money as they have for the purpose of providing hospitals under the Public Health (Scotland) Act, 1897.

Costs of structural alterations.

29.—(1) Where any premises, which with the consent, express or implied, of the landlord or his agent are used by the tenant as a dairy, by reason of this Act or any byelaw or regulation made under this Act cannot continue to be so used unless the premises are altered or improved, the tenant may make such alterations or improvements, including the introduction of a sufficient water supply for the purposes of the dairy, as are reasonably necessary to enable the premises to continue to be so used, and recover from the landlord such proportion of the expenses incurred as may be just and equitable under the circumstances of the case regard being had to the terms of any contract between the parties :

Provided that the tenant, before beginning to execute such alterations or improvements, shall give to the landlord notice in writing of his intention to execute the alterations or improvements together with particulars thereof, and shall not proceed with the execution thereof if the landlord within twenty-eight days after receipt of the notice undertakes to execute the necessary alterations or improvements within a reasonable time, subject to the recovery from the tenant of such proportion of the expense incurred as may be just and equitable under the circumstances of the case, regard being had to the terms of any contract between the parties, or if the landlord requires that it shall be determined as provided for in subsection (2) of this section whether there is any reasonable necessity for such alterations or improvements

or what proportion of the expense shall be paid by landlord and tenant respectively.

(2) Any question as to the reasonable necessity of any alteration or improvement or as to the proportion of the expenses to be paid by the landlord and tenant respectively in default of agreement shall be determined by a single arbiter in accordance with the provisions set out in the Second Schedule to the Agricultural Holdings (Scotland) Act, 1908.

8 Edw. vii. c. 64.

(3) An arbiter shall, so far as practicable, act on his own knowledge and experience, and shall not, except in such cases as the Board of Agriculture for Scotland otherwise direct, hear counsel.

(4) Section thirteen of the Agricultural Holdings (Scotland) Act, 1908, which enables the landlord to obtain an order charging a holding with repayment of the amount paid or expended by him in respect of an improvement to which that section refers, shall apply to any payment or expenditure made or incurred by a landlord in respect of any alteration or improvement to which this section refers executed by the landlord or a tenant on a holding to which the Agricultural Holdings (Scotland) Act, 1908, applies: Provided that this section shall not apply in the case of landholders within the meaning of the Small Landholders (Scotland) Act, 1911.

1 & 2 Geo. V. c. 49.

Service of notices.

30. Any notice, order, or other intimation required or authorised to be served under this Act may be served in the manner provided by section one hundred and fifty-nine of the Public Health (Scotland) Act, 1897.

Repeal of Acts.

31.—(1) The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule, and so much of any general Act as is inconsistent with this Act is also hereby repealed.

Nothing in this Act shall supersede, prejudice, or affect the provisions of any local Act applicable to any burgh, but the provisions of this Act shall operate to confer additional powers on the local authorities of such burghs.

(2) The Dairies, Cowsheds, and Milkshops Orders of 1885, 1887, and 1899, shall, save as herein-after provided, cease to have force or effect after the commencement of this Act, provided that the Board may by Order prescribe a later date till which the whole or any part of such Orders shall continue in force in the district of any local authority, and that such Order may, notwithstanding the date of the commencement of this Act, be made by the Board at any time after the passing thereof.

29 & 30 Vict. c. 17.

(3) The Cattlesheds in Burghs (Scotland) Act, 1866, shall not apply to any premises which are required to be registered in terms of this Act.

Short title.

32. This Act may be cited as the Milk and Dairies (Scotland) Act, 1914.

SCHEDULE.

Section 31.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
41 & 42 Vict. c. 74.	Contagious Diseases (Animals) Act, 1878.	The whole Act as applying to Scotland.
49 & 50 Vict. c. 32.	Contagious Diseases (Animals) Act, 1886.	The whole Act as applying to Scotland.
60 & 61 Vict. c. 38.	Public Health (Scotland) Act, 1897	Sections 60, 61.
3 Edw. 7. c. 33.	Burgh Police (Scotland) Act, 1903 -	Sections 83, 84, 85, 86, 87, 88, 89, 90, 91, 92.

CHAPTER 47.

An Act to consolidate the Law relating to Deeds of Arrangement. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

APPLICATION OF ACT.

Deeds of arrangement to which Act applies.

1.—(1) A deed of arrangement to which this Act applies shall include any instrument of the classes hereinafter mentioned whether under seal or not—

(*a*) made by, for or in respect of the affairs of a debtor for the benefit of his creditors generally;

(*b*) made by, for or in respect of the affairs of a debtor who was insolvent at the date of the execution of the instrument for the benefit of any three or more of his creditors:

otherwise than in pursuance of the law for the time being in force relating to bankruptcy.

(2) The classes of instrument hereinbefore referred to are—

(*a*) an assignment of property;

(*b*) a deed of or agreement for a composition;

and in cases where creditors of the debtor obtain any control over his property or business—

(*c*) a deed of inspectorship entered into for the purpose of carrying on or winding up a business;

(*d*) a letter of licence authorising the debtor or any other person to manage, carry on, realise or dispose of a business with a view to the payment of debts; and

(*e*) any agreement or instrument entered into for the purpose of carrying on or winding up the debtor's business, or authorising the debtor or any other person to manage, carry on, realise or dispose of the debtor's business with a view to the payment of his debts.

PART II.

AVOIDANCE OF DEEDS OF ARRANGEMENT WHERE STATUTORY CONDITIONS NOT COMPLIED WITH.

Avoidance of unregistered deeds of arrangement.

2. A deed of arrangement shall be void unless it is registered with the Registrar of Bills of Sale under this Act within seven clear days after the first execution thereof by the debtor or any creditor, or if it is executed in any place out of England, then within seven clear days after the time at which it would, in the ordinary course of post, arrive in England, if posted within one week after the execution thereof, and unless it bears such ordinary and ad valorem stamp as is provided by this Act.

Avoidance of deeds of arrangement unless assented to by a majority of the creditors.

3.—(1) A deed of arrangement, which either is expressed to be or is in fact for the benefit of a debtor's creditors generally, shall be void unless, before or within twenty-one days after the registration thereof, or within such extended time as the High Court or the court having jurisdiction in bankruptcy in the district in which the debtor resided or carried on business at the date of the execution of the deed may allow, it has received the assent of a majority in number and value of the creditors of the debtor.

(2) The list of creditors annexed to the affidavit of the debtor filed on the registration of the deed of arrangement shall be primâ facie evidence of the names of the creditors and the amounts of their claims.

(3) The assent of a creditor for the purposes of subsection (1) of this section shall be established by his executing the deed of arrangement or sending to the trustee his assent in writing attested by a witness, but not otherwise.

(4) The trustee shall file with the Registrar of Bills of Sale at the time of the registration of a deed of arrangement, or, in the case of a deed of arrangement assented to after registration, within twenty-eight days after registration or within such extended time as the High Court or the court having jurisdiction in bankruptcy in the district in which the debtor resided or

carried on business at the date of the execution of the deed may allow, a statutory declaration by the trustee that the requisite majority of the creditors of the debtor have assented to the deed of arrangement, which declaration shall, in favour of a purchaser for value, be conclusive evidence, and, in other cases, be primâ facie evidence, of the fact declared.

(5) In calculating a majority of creditors for the purposes of this section, a creditor holding security upon the property of the debtor shall be reckoned as a creditor only in respect of the balance (if any) due to him after deducting the value of such security, and creditors whose debts amount to sums not exceeding ten pounds shall be reckoned in the majority in value but not in the majority in number.

Part III.

Registration of Deeds of Arrangement.

Registrar and office for registration.

4.—(1) The Registrar of Bills of Sale shall be the registrar for the purposes of this Act.

(2) The Bills of Sale Department of the Central Office of the Supreme Court shall be the office for the registration of deeds of arrangement.

Mode of registration.

5.—(1) The registration of a deed of arrangement under this Act shall be effected in the following manner :—

A true copy of the deed, and of every schedule or inventory thereto annexed, or therein referred to, shall be presented to and filed with the registrar within seven clear days after the execution of the deed (in like manner as a bill of sale given by way of security for the payment of money is required to be filed), together with an affidavit verifying the time of execution, and containing a description of the residence and occupation of the debtor, and of the place or places where his business is carried on, and an affidavit by the debtor stating the total estimated amount of property and liabilities included under the deed, the total amount of the composition (if any) payable thereunder, and the names and addresses of his creditors.

(2) No deed shall be registered under this Act unless the original of the deed, duly stamped with the proper inland revenue duty, and in addition to such duty a stamp denoting a duty computed at the rate of one shilling for every hundred pounds or fraction of a hundred pounds of the sworn value of the property passing, or (where no property passes under the deed) the amount of composition payable under the deed, is produced to the registrar at the time of such registration.

Form of register.

6. The registrar shall keep a register wherein shall be entered, as soon as conveniently may be after the presentation of a deed for registration, an abstract of the contents of every

deed of arrangement registered under this Act, containing the following and any other prescribed particulars :—

(*a*) The date of the deed ;

(*b*) The name, address, and description of the debtor, and the place or places where his business was carried on at the date of the execution of the deed, and the title of the firm or firms under which the debtor carried on business, and the name and address of the trustee (if any) under the deed ;

(*c*) A short statement of the nature and effect of the deed, and of the composition in the pound payable thereunder ;

(*d*) The date of registration ;

(*e*) The amount of property and liabilities included under the deed, as estimated by the debtor.

Rectification of register.

7. The High Court or a judge thereof, upon being satisfied that the omission to register a deed of arrangement within the time required by this Act or that the omission or mis-statement of the name, residence, or description of any person was accidental or due to inadvertence, or to some cause beyond the control of the debtor and not imputable to any negligence on his part, may, on the application of any party interested, and on such terms and conditions as are just and expedient, extend the time for registration, or order the omission or mis-statement to be supplied or rectified by the insertion in the register of the true name, residence, or description.

Time for registration.

8. Where the time for registering a deed of arrangement expires on a Sunday, or other day on which the registration office is closed, the registration shall be valid if made on the next following day on which the office is open.

Inspection of register and registered deeds.

9. Any person shall be entitled, at all reasonable times, to search the register on payment of one shilling, or such other fee as may be prescribed, and subject to such regulations as may be prescribed, and shall be entitled, at all reasonable times, to inspect, examine, and make extracts from any registered deed of arrangement, without being required to make a written application or to specify any particulars in reference thereto, upon payment of one shilling, or such other fee as may be prescribed, for each deed of arrangement inspected :

Provided that the extracts shall be limited to the dates of execution and of registration, the names, addresses, and descriptions of the debtor and of the parties to the deed, a short statement of the nature and effect of the deed, and any other prescribed particulars.

Local registration of copy of deeds.

10.—(1) Where the place of business or residence of the debtor who is one of the parties to a deed of arrangement, or who is referred to therein, is situate in some place outside the London Bankruptcy District, the registrar shall, within three

clear days after registration, and in accordance with the prescribed directions, transmit a copy of the deed to the registrar of the county court in the district of which such place of business or residence is situate.

(2) Every copy so transmitted shall be filed, kept and indexed by the registrar of the county court in the prescribed manner, and any person may search, inspect, make extracts from, and obtain copies of, the registered copy, in the like manner and upon the like terms, as to payment or otherwise, as near as may be, as in the case of deeds registered under this Act.

Part IV.

Provisions as to Trustees.

Security by trustee.

11.—(1) The trustee under a deed of arrangement shall, within seven days from the date on which the statutory declaration certifying the assent of the creditors is filed, give security in the prescribed manner to the registrar of the court having jurisdiction in bankruptcy in the district in which the debtor resided or carried on business at the date of the execution of the deed, or, if he then resided or carried on business in the London bankruptcy district, to the senior bankruptcy registrar of the High Court, in a sum equal to the estimated assets available for distribution amongst the unsecured creditors as shown by the affidavit filed on registration, to administer the deed properly and account fully for the assets which come to his hands, unless a majority in number and value of the debtor's creditors, either by resolution passed at a meeting convened by notice to all the creditors, or by writing addressed to the trustee, dispense with his giving such security:

Provided that, when such a dispensation has been so given, the trustee shall forthwith make and file with the Registrar of Bills of Sale a statutory declaration to that effect, which declaration shall, in favour of a purchaser for value, be conclusive evidence, and, in other cases, be primâ facie evidence, of the facts declared.

(2) If a trustee under a deed of arrangement fails to comply with the requirements of this section, the court having jurisdiction in bankruptcy in the district in which the debtor resided or carried on business at the date of the execution of the deed, on the application of any creditor and after hearing such persons as it may think fit, may declare the deed of arrangement to be void or may make an order appointing another trustee in the place of the trustee appointed by the deed of arrangement.

(3) A certificate that the security required by this section has been given by a trustee, signed by the registrar to whom it was given and filed with the Registrar of Bills of Sale, shall be conclusive evidence of the fact.

(4) All moneys received by a trustee under a deed of arrangement shall be banked by him to an account to be opened in the name of the debtor's estate.

(5) In calculating a majority of creditors for the purposes of this section, a creditor holding security upon the property of the debtor shall be reckoned as a creditor only in respect of the balance (if any) due to him after deducting the value of such security, and creditors whose debts amount to sums not exceeding ten pounds shall be reckoned in the majority in value but not in the majority in number.

Penalty on trustee acting when deed of arrangement void.

12. If a trustee acts under a deed of arrangement—

(*a*) after it has to his knowledge become void by reason of non-compliance with any of the requirements of this Act or any enactment repealed by this Act; or

(*b*) after he has failed to give security within the time and in the manner provided for by this Act or any enactment repealed by this Act,

he shall be liable on summary conviction to a fine not exceeding five pounds for every day between the date on which the deed became void or the expiration of the time within which security should have been given, as the case may be, and the last day on which he is proved to have acted as trustee, unless he satisfies the court before which he is accused that his contravention of the law was due to inadvertence, or that his action has been confined to taking such steps as were necessary for the protection of the estate.

Transmission of accounts to Board of Trade.

13.—(1) Every trustee under a deed of arrangement shall, at such times as may be prescribed, transmit to the Board of Trade, or as they direct, an account of his receipts and payments as trustee, in the prescribed form and verified in the prescribed manner.

(2) If any trustee fails to transmit such account, he shall be liable on summary conviction to a fine not exceeding five pounds for each day during which the default continues, and the judge of the High Court to whom bankruptcy business has been assigned may, for the purpose of enforcing the provisions of the last preceding subsection, exercise, on the application of the Board of Trade, all the powers conferred on the court by subsection (5) of section one hundred and five of the Bankruptcy Act, 1914, in cases of bankruptcy.

4 & 5 Geo. 5. c. 59.

(3) The accounts transmitted to the Board of Trade in pursuance of this section shall be open to inspection by the debtor or any creditor or other person interested on payment of the prescribed fee, and copies of or extracts from the accounts shall, on payment of the prescribed fee, be furnished to the debtor, the creditors, or any other persons interested.

(4) In this section the expression "trustee" shall include any person appointed to distribute a composition or to act in any fiduciary capacity under any deed of arrangement, and the expression "prescribed" means prescribed by rules under the Bankruptcy Act, 1914.

Transmission of accounts to creditors.

14. Every trustee under a deed of arrangement shall, at the expiration of six months from the date of the registration of the deed, and thereafter at the expiration of every subsequent period of six months until the estate has been finally wound up, send to each creditor who has assented to the deed a statement in the prescribed form of the trustee's accounts and of the proceedings under the deed down to the date of the statement, and shall, in his affidavit verifying his accounts transmitted to the Board of Trade, state whether or not he has duly sent such statements, and the dates on which the statements were sent; and, if a trustee fails to comply with any of the provisions of this section, the High Court may, for the purpose of enforcing those provisions, exercise on the application of the Board of Trade all the powers conferred on the court by subsection (5) of section one hundred and five of the Bankruptcy Act, 1914, in cases of bankruptcy.

Audit of accounts.

15.—(1) Where, in the course of the administration of the estate of a debtor who has executed a deed of arrangement, or within twelve months from the date when the final accounts of the estate were rendered to the Board of Trade, an application in writing is made to the Board by a majority in number and value of the creditors who have assented to the deed for an official audit of the trustee's accounts, the Board may cause the trustee's accounts to be audited, and in such case all the provisions of the Bankruptcy Act, 1914, relating to the institution and enforcement of an audit of the accounts of a trustee in bankruptcy (including the provisions as to fees) shall, with necessary modifications, apply to the audit of the trustee's accounts, and the Board shall have power on the audit to require production of a certificate for the taxed costs of any solicitor whose costs have been paid or charged by the trustee, and to disallow the whole or any part of any costs in respect of which no certificate is produced.

(2) The Board of Trade may determine how and by what parties the costs, charges and expenses of and incidental to the audit (including any prescribed fees chargeable in respect thereof) are to be borne, whether by the applicants or by the trustee or out of the estate, and may, before granting an application for an audit, require the applicants to give security for the costs of the audit.

Payment of undistributed moneys into court.

16. At any time after the expiration of two years from the date of the registration of a deed of arrangement, the court having jurisdiction in bankruptcy in the district in which the debtor resided or carried on business at the date of the execution of the deed may, on the application of the trustee or a creditor, or on the application of the debtor, order that all moneys representing unclaimed dividends and undistributed funds then in the hands of the trustee or under his control be paid into court.

Preferential payment to

17. If a trustee under a deed of arrangement pays to any creditor out of the debtor's property a sum larger in proportion

creditor an offence.

to the creditor's claim than that paid to other creditors entitled to the benefit of the deed, then, unless the deed authorises him to do so, or unless such payments are either made to a creditor entitled to enforce his claim by distress or are such as would be lawful in a bankruptcy, he shall be guilty of a misdemeanour.

Power to bankruptcy courts to appoint new trustee. 56 & 57 Vict. c. 53.

18. The power to appoint a new trustee or new trustees under section twenty-five of the Trustee Act, 1893, may, in the case of a deed of arrangement, be exercised either by the High Court or by the court having jurisdiction in bankruptcy in the district in which the debtor resided or carried on business at the date of the execution of the deed, and the provisions of that section shall apply accordingly.

Provisions for the protection of trustees under void deeds.

19.—(1) Where a deed of arrangement is void by reason that the requisite majority of creditors have not assented thereto, or, in the case of a deed for the benefit of three or more creditors, by reason that the debtor was insolvent at the time of the execution of the deed and that the deed was not registered as required by this Act, but is not void for any other reason, and a receiving order is made against the debtor upon a petition presented after the lapse of three months from the execution of the deed, the trustee under the deed shall not be liable to account to the trustee in the bankruptcy for any dealings with or payments made out of the debtor's property which would have been proper if the deed had been valid, if he proves that at the time of such dealings or payments he did not know, and had no reason to suspect, that the deed was void.

(2) Where a receiving order is made against a debtor under subsection (5) of section one hundred and seven of the Bankruptcy Act, 1914, this section shall apply if the receiving order was made after the lapse of three months from the execution of the deed.

Notice to creditors of avoidance of deed.

20. When a deed of arrangement is void by virtue of this Act for any reason other than that, being for the benefit of creditors generally, it has not been registered within the time allowed for the purpose by this Act, the trustee shall, as soon as practicable after he has become aware that the deed is void, give notice in writing thereof to each creditor whose name and address he knows, and file a copy of the notice with the Registrar of Bills of Sale, and, if he fails to do so, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

Payment of expenses incurred by trustees.

21. Where a deed of arrangement is avoided by reason of the bankruptcy of the debtor, any expenses properly incurred by the trustee under the deed in the performance of any of the duties imposed on him by this Act shall be allowed or paid him by the trustee in the bankruptcy as a first charge on the estate.

Application of Part IV.

22. The provisions of this Part of this Act, except such of those provisions—

(*a*) as relate to the transmission of accounts to the Board of Trade;

(*b*) as provide for the protection of trustees under void deeds;

(*c*) as require a notice to be given to creditors of avoidance of deeds;

(*d*) as provide for the payment of expenses incurred by trustees;

shall not apply to a deed of arrangement made for the benefit of any three or more of the debtor's creditors unless it is in fact for the benefit of the debtor's creditors generally.

Part V.

General.

Courts in which applications for enforcement of trusts to be made.

23. Any application by the trustee under a deed of arrangement, which either is expressed to be or is in fact for the benefit of the debtor's creditors generally, or by the debtor or by any creditor entitled to the benefit of such a deed of arrangement, for the enforcement of the trusts or the determination of questions under it, shall be made to the court having jurisdiction in bankruptcy in the district in which the debtor resided or carried on business at the date of the execution of the deed:

Provided that any question as to whether any person claiming to be a creditor entitled to the benefit of a deed of arrangement is so entitled may, subject to rules made under this Act, be decided either by the court having such jurisdiction as aforesaid or by the High Court.

Relation to bankruptcy law.

24.—(1) If the trustee under a deed of arrangement, which either is expressed to be or is in fact for the benefit of the debtor's creditors generally, serves in the prescribed manner on any creditor of the debtor notice in writing of the execution of the deed and of the filing of the statutory declaration certifying the creditors' assents with an intimation that the creditor will not after the expiration of one month from the service of the notice be entitled to present a bankruptcy petition against the debtor founded on the execution of the deed or on any other act committed by him in the course or for the purpose of the proceedings preliminary to the execution of the deed as an act of bankruptcy, that creditor shall not, after the expiration of that period, unless the deed becomes void, be entitled to present a bankruptcy petition against the debtor founded on the execution of the deed or any act so committed by him as an act of bankruptcy.

(2) Where such a deed of arrangement as aforesaid has become void by virtue of this Act or any enactment repealed by

this Act, the fact that a creditor has assented to the deed shall not disentitle him to present a bankruptcy petition founded on the execution of the deed of arrangement as an act of bankruptcy.

(3) Save as otherwise expressly provided by this Act, nothing in this Act shall be construed as repealing or shall affect any provision of the law for the time being in force in relation to bankruptcy or shall give validity to any deed or instrument which by law is an act of bankruptcy or void or voidable.

Office copies.

25. Subject to the provisions of this Act, and to any rules made thereunder, any person shall be entitled to have an office copy of, or extract from, any deed registered under this Act, upon paying for it at the like rate as for office copies of judgments of the High Court, and any copy or extract purporting to be an office copy or extract shall, in all courts and before all arbitrators or other persons, be admitted as primâ facie evidence thereof, and of the fact and date of registration as shown thereon.

Fees.

26.—(1) There shall be taken, in respect of the registration of deeds of arrangement, and in respect of any office copies or extracts, or official searches made by the registrar, such fees as may be from time to time prescribed; and nothing in this Act contained shall make it obligatory on the registrar to do, or permit to be done, any act in respect of which any fee is specified or prescribed, except on payment of such fee.

38 & 39 Vict. c. 77. s. 27.

(2) Section twenty-six of the Supreme Court of Judicature Act, 1875, as amended by any subsequent enactment, shall apply to fees under this Act, and orders under that section may, if need be, be made in relation to such fees accordingly.

Returns to Board of Trade.

27. The general annual report which, by section one hundred and thirty-six of the Bankruptcy Act, 1914, the Board of Trade is required to cause to be prepared and laid before Parliament, shall include a report of proceedings under this Act, and, for the purposes of such report, the Registrar of Bills of Sale shall make to the Board of Trade such returns of the registration of deeds of arrangement, at such times, and in such manner and form, as may be prescribed.

Rules.

28. Rules for carrying this Act into effect may be made in like manner as rules may be made under and for the purposes of the Judicature Acts, 1873 to 1910.

Affidavits.

29. An affidavit required by or for the purposes of this Act may be sworn before a Master of the Supreme Court or before any person empowered to take affidavits in the Supreme Court or before any other person before whom such an affidavit may, by any law for the time being in force, be sworn, but this section shall not apply to an affidavit required for the purposes of this Act by virtue of rules made under the Bankruptcy Act, 1914.

30.—(1) In this Act, unless the context otherwise requires,— Interpretation of terms.

"Creditors generally" includes all creditors who may assent to, or take the benefit of, a deed of arrangement;

"Prescribed" means prescribed by rules made under this Act;

"Property" has the same meaning as in the Bankruptcy Act, 1914;

"Rules" includes forms.

(2) For the purpose of determining the number of creditors for whose benefit a deed is made, any two or more joint creditors shall be treated as a single creditor.

31.—(1) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule. Repeals and savings.

(2) This Act shall apply to proceedings commenced under any enactment repealed by this Act and pending at the commencement of this Act, as if commenced under this Act.

(3) Until revoked or altered under the powers of this Act, rules made under any enactment repealed by this Act, and in force at the commencement of this Act, shall continue in force, and shall have effect as if made under this Act.

(4) The provisions of this Act shall apply to and in respect of a deed of arrangement executed before the commencement of this Act only if and so far as the corresponding provisions of the enactments repealed by this Act would have applied to or in respect of such deed if this Act had not been passed.

32.—(1) This Act may be cited as the Deeds of Arrangement Act, 1914. Short title, extent, and commencement.

(2) This Act shall not extend to Scotland or Ireland.

(3) This Act shall come into operation on the first day of January nineteen hundred and fifteen.

SCHEDULE. Section 31.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
50 & 51 Vict. c. 57.	The Deeds of Arrangement Act, 1887.	The whole Act, except so far as it relates to Ireland.
53 & 54 Vict. c. 71.	The Bankruptcy Act, 1890.	Section twenty-five.
3 & 4 Geo. 5. c. 34.	The Bankruptcy and Deeds of Arrangement Act. 1913.	Sections twenty-seven to forty-one; in section forty-two from "and" "Part II. of this Act" to "extend to Ireland"; and Schedule II. so far as unrepealed.

CHAPTER 48.

An Act to provide for the redemption and extinction of Casualties incident to Feus in Scotland.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Feudal Casualties (Scotland) Act, 1914.

Commencement.

2. This Act shall come into operation on the first day of January one thousand nine hundred and fifteen, which date is hereinafter referred to as the commencement of this Act.

Construction 37 & 38 Vict. c. 94.

3. This Act shall be read and construed as one Act with the Conveyancing (Scotland) Act, 1874 (hereinafter called the principal Act), so far as consistent with the tenor of this Act and the principal Act respectively: Provided that in this Act (unless the contrary intention appears) each of the following expressions shall, in addition to the meanings assigned thereto in the principal Act, include the meanings hereby assigned thereto (that is to say):—

"Superior" shall include the creditor in a ground annual; and "superiority" shall include the right of such creditor;

"Feu" shall include lands subject to a ground annual created either before or after the first day of October one thousand eight hundred and seventy-four;

"Feu-duty" shall include ground annual;

"Casualties" shall include duplicands and other multiples of feu-duties and grassums and other sums payable at intervals of more than one year in connection with any feu;

"Relief" shall include all payments legal or conventional falling to be made by an heir on his entry or succession;

"Composition" shall include all payments legal or conventional falling to be made by a singular successor on his entry.

Redemption of casualties.

4.—(1) The casualties incident to any feu created prior to the commencement of this Act shall be redeemable at the instance of either the superior or the proprietor of such feu at any time within the period of fifteen years from and after such commencement either on such terms as may be agreed on between such superior and proprietor, or (failing agreement) upon payment of compensation or conversion thereof into an annual sum in terms of this Act: Provided that redemption under this Act otherwise than by agreement shall apply only to future and prospective casualties, and that any casualty which

has become due at or prior to the date as at which compensation is to be fixed and for which the proprietor of the feu is personally liable, or for which the feu can be affected, shall be paid prior to such redemption.

(2) The compensation payable on the redemption of casualties under this Act shall (unless the same be converted into an annual sum in terms of this Act) be a personal debt due by the proprietor of the feu to the superior, as well as a real burden on the feu to which such compensation applies, preferable to all securities or burdens not incidents of tenure.

(3) On the expiry of the said period of fifteen years all casualties incident to any feu created prior to the commencement of this Act, and all claims for compensation in respect thereof, shall be held to be extinguished and discharged, and shall cease to burden or affect the feu, without prejudice to any feu-duty constituted in terms of section nine of this Act; provided that if any judicial proceedings for the recovery or redemption of any casualties, or the fixing or recovery of compensation therefor, are instituted prior to the expiry of the said period, and a notice of such proceedings, in the appropriate form set forth in Schedule D. to this Act annexed, or in a similar form, is registered in the register of inhibitions and adjudications in the course of the year immediately following the expiry of the said period, the said period shall be held to be extended to twenty years from and after the commencement of this Act as regards the casualties for the recovery or redemption of which, or the compensation for the fixing or recovery of which, such proceedings shall have been instituted.

Compensation for redemption of casualties.

5.—(1) The compensation payable on the redemption of casualties under this Act shall (failing agreement) be fixed as follows:—

(*a*) In cases where casualties are exigible on the death of the vassal the compensation shall be such sum as will, with the addition of simple interest at the rate of four per cent. per annum, produce one and a half times the highest casualty on the arrival of the time at which the next casualty might be expected to become exigible: Provided that, if at the date as at which compensation is to be fixed, and after payment of such casualty (if any) as may then be exigible, the state of the title is such that the next casualty may be relief, and the amount of such relief is less than the amount which would be payable as composition, the compensation shall be fixed on the assumption that the next casualty will be payable on the expiry of the period of twenty-five years from the date as at which compensation is to be fixed, or otherwise on the arrival of the time when the next casualty might be expected to become exigible, whichever period is the greater;

(*b*) In cases where casualties are exigible on the occasion of each sale or transfer of the property as well as on the death of the vassal, the compensation shall be such sum as will, with the addition of simple interest at the rate of four per cent. per annum, produce two and a half times the highest casualty on the arrival of the time at which the next casualty might be expected to become exigible: Provided that, if at the date as at which compensation is to be fixed and after payment of such casualty (if any) as may then be exigible, the state of the title is such that the next casualty may be relief, and the amount of such relief is less than the amount which would be payable as composition, the compensation shall be fixed on the assumption that the next casualty will be payable on the expiry of the period of fifteen years from the date as at which compensation is to be fixed, or otherwise on the arrival of the time when the next casualty might be expected to become exigible, whichever period is greater:

(*c*) In cases where casualties are payable in terms of section five of the principal Act at fixed and regularly recurring intervals the compensation shall be such sum as will, with the addition of simple interest at the rate of four per cent. per annum, produce on the next recurrence of the fixed interval one and a half times the highest casualty when such interval is twenty-five years, and two and a half times the highest casualty when such interval is fifteen years:

(*d*) In cases where casualties are payable in virtue of the terms and conditions of the feu at fixed and regularly recurring intervals the compensation shall be such sum as will, with the addition of simple interest at the rate of four per cent. per annum, produce on the next recurrence of the fixed interval a sum representing thirty-seven and a half times the highest casualty divided by the number of years constituting such interval:

(*e*) In cases where casualties consist of sums calculated on the footing of an annual sum being paid for each year from the date of the last entry the compensation shall be such sum as will, with the addition of simple interest at the rate of four per cent. per annum, produce, on the arrival of the time at which the next casualty might be expected to become exigible, a sum equal to the aggregate of (*a*) the amount of such annual sum multiplied by eighteen, and (*b*) the amount of such annual sum multiplied by the number of the years which would elapse between the payment of the last casualty and the time at which the next casualty might be expected to become exigible, but

such compensation shall not in any case exceed the aggregate amount which would have been payable under the provisions of section fifteen of the principal Act upon and before the redemption of a similar casualty in the like circumstances :

(*f*) In cases where a casualty of fixed amount is exigible on the occasion of each sale or transfer of the property as well as on the death of the vassal, but the terms and conditions of the feu provide that a lower amount shall be payable in the event of the vassal last entered with the superior being alive, the compensation shall, in the option of the superior, be either the compensation payable in terms of paragraph (*a*) of this subsection based on such higher amount as being for the purpose of that paragraph the highest casualty, or the compensation payable in terms of paragraph (*b*) of this subsection based on such lower amount as being for the purpose of that paragraph the highest casualty ; but the provisoes in paragraphs (*a*) and (*b*) shall not apply to cases under this paragraph.

(2) The compensation payable on the redemption of casualties under this Act shall (failing agreement) be fixed as at the date of notice given in terms of section eleven of this Act, and shall bear interest at the rate of four per cent. per annum from such date until paid, or converted into an annual sum in terms of section nine of this Act: Provided that if before any such notice has been given any casualty shall be or become due, and payment thereof be either demanded or tendered, compensation shall be fixed as at the date of such demand or tender as if notice had been given as on such last-mentioned date, and shall bear interest thereafter as above provided.

Expectancy.

6.—(1) For the purposes of paragraphs (*a*) and (*b*) of subsection (1) of section five of this Act, the time at which the next casualty might be expected to become exigible shall be determined according to the expectancy of life, at the date as at which compensation is to be fixed, of the person on whose death the incidence of the next casualty depends, and such expectancy shall for the purposes of paragraph (*a*) of such subsection be the expectancy relative to the age of such person specified in the table set out in Schedule A. annexed to this Act, and shall for the purposes of paragraph (*b*) of such subsection be three-fifths of such last-mentioned expectancy.

(2) For the purposes of paragraph (*e*) of such subsection the time at which the next casualty might be expected to become exigible shall, where casualties are exigible on the death of the vassal, be determined as in the immediately preceding subsection for the purposes of paragraph (*a*) of subsection (1) of section five of this Act; and shall, where casualties are exigible on the occasion of each sale or transfer of the property as well as on the death of the vassal, be determined as in the immediately

preceding subsection for the purposes of paragraph (*b*) of subsection (1) of section five of this Act; and shall, where casualties are payable in terms of section five of the principal Act at fixed and regularly recurring intervals, be the next recurrence of the fixed interval.

Mineral rents.

7. Where the compensation payable upon the redemption of a casualty incident to any feu is fixed under this Act, and the rental of such feu consists in whole or in part of a rental from minerals which are being or have been worked, a sum equal to four per cent. on the capital value of such minerals at the date as at which compensation is to be fixed shall be taken to be the rental of the minerals for the purpose of fixing such compensation: Provided that in ascertaining the compensation for redemption of casualties upon minerals, no minerals shall be brought into computation other than minerals from which casualties may be exigible in accordance with existing law.

Casualties redeemed to be discharged.

8. The superior (unless the proprietor of the feu shall elect to have the compensation converted into an annual sum in terms of this Act) shall, on payment or tender of the compensation payable on the redemption of any casualties under this Act, be bound to discharge all right to the casualties so redeemed, and the discharge (which may be in the form set forth in Schedule B. annexed to this Act, or in a similar form) being recorded in the appropriate register of sasines, shall operate as a valid and effectual discharge of such casualties: Provided always that the proprietor of such feu shall be entitled, in his option and in lieu of such discharge, to obtain from the superior a receipt which need not be tested or holograph, and which without being recorded shall be as effectual as such recorded discharge: Provided further that when the superior shall have granted a heritable security affecting the superiority no discharge or receipt to be granted to the proprietor of the feu so redeeming shall be effectual without the consent of the creditor in such heritable security: Provided further that the superior and proprietor of the feu shall each respectively bear their own expenses of and incident to such discharge or receipt, but the stamp duty applicable to such discharge and the dues of recording the same in the appropriate register of sasines shall be borne by them equally.

Option to proprietor to pay annual sum.

9. The proprietor of the feu shall be entitled to elect that the compensation payable on the redemption of any casualties under this Act shall be converted into an annual sum equal to four per cent. on the capital, and in that case a memorandum in the form set forth in Schedule G. annexed to the principal Act, or in a similar form, of the amount of such annual sum shall be signed by the parties or their respective agents and recorded in the appropriate register of sasines, whereupon such annual sum shall, subject to the provisions of section ten of this Act, be deemed to be a feu-duty with all the legal qualities thereof,

and shall form an addition to any existing feu-duty, and the superior's right to all casualties shall be held to be discharged: Provided always that the superior and the proprietor of the feu shall each respectively bear their own expenses of and incident to such memorandum, but the stamp duty applicable to such memorandum and the dues of recording the same in the appropriate register of sasines shall be borne by them equally.

Option to proprietor to redeem annual payment.

10. The proprietor of the feu shall be entitled to redeem a feu-duty, constituted in terms of the immediately preceding section of this Act, at any term at which such feu-duty is payable on giving three months' previous notice in writing to the superior, and making payment or tender to him of a sum equal to the amount of such feu-duty multiplied by twenty-five, and on such payment or tender the superior shall be bound at the expense of the proprietor to discharge all right to the feu-duty so redeemed, and such discharge (which may be in the form set forth in Schedule C. to this Act annexed, or in a similar form), being recorded in the appropriate register of sasines at the expense of the proprietor, shall operate as a valid and effectual discharge of such feu-duty: Provided always that when the superior shall have granted a heritable security affecting the superiority no discharge to be granted to the proprietor of the feu so redeeming shall be effectual without the consent of the creditor in such heritable security.

Notice of redemption.

11. Where under this Act the casualties incident to any feu are to be redeemed (otherwise than by agreement) at the instance of either the superior or the proprietor of the feu to which such casualties are incident, such superior or proprietor may give notice of his intention to the proprietor or superior (as the case may be) of such feu, in the appropriate form set forth in Schedule D. to this Act annexed, or in a similar form and such notice shall be irrevocable. If such notice is sent by post in a registered letter addressed to the person to whom such notice is intended to be given, a copy of such notice bearing a certificate by the person who posted the same, of the due posting thereof, together with the post office receipt therefor, shall be sufficient evidence that such notice was duly given to the person to whom such notice was addressed, at the address and on the date contained in such receipt.

Corporation entered unconditionally before commencement of principal Act.

12. Where a corporation has, before the commencement of the principal Act, been entered unconditionally in any lands, and no casualty can be exacted in respect of such lands during the existence of the corporation, it shall not be competent to the superior of such lands to give notice of redemption of casualties, or to exact compensation in respect of such redemption, unless, within fifteen years after the commencement of this Act, it shall become competent to exact a casualty in respect of such lands, failing which the lands, whether still belonging to such corporation or not, shall, on the expiry of the said period of fifteen years,

be deemed for the future to be discharged of all casualties and of all claims for compensation in respect thereof.

Claims for loss of casualties under Lands Clauses Acts.

13. All claims for compensation for loss of casualties under the Lands Clauses Acts shall be held as discharged if not demanded within fifteen years after the commencement of this Act.

Provision as to heirs of entail, &c.

14. All heirs of entail, liferenters, corporations, trustees, judicial factors, tutors, curators, and other guardians, heritable creditors in possession and other persons who are in actual receipt of the income of any estate of property or of superiority are, notwithstanding any limitations in their titles, hereby authorised without any further sanction to exercise all the powers and options by this Act conferred upon superiors and proprietors of feus respectively, and to execute, register, and carry into effect all deeds required to render such powers and options fully operative, and such exercise and such deeds shall be fully binding upon all persons whatsoever interested in the feus or superiorities to which such deeds relate.

Application of section eighteen of the principal Act.

15. Subject to the provisions of this Act, the provisions of section eighteen of the principal Act shall apply to the redemption of casualties under this Act, provided that the expression "heir of entail in possession" therein occurring shall extend to and include liferenter in possession, and the expression "entailed estate" shall extend to and include estate liferented.

Casualties subject to express trust. 29 & 30 Vict. c. 71.

16. The compensation payable in respect of casualties to which section nineteen of the Glebe Lands (Scotland) Act, 1866, applies and in respect of all other casualties which are the subject of express trust or direction contained in any Act of Parliament or trust deed or otherwise, or the annual sum into which such compensation may be converted, shall be subject to the same trusts and directions as are applicable to the casualties which they represent, and that irrespective of the amount of such compensation paid or consigned during any period.

Provision as to divided feus.

17.—(1) Where any feu created prior to the commencement of this Act has been divided before or shall be divided after such commencement, but the proprietors of the parts of such feu are not entitled, each for himself, to redeem the casualties incident to their respective parts thereof, the superior shall be entitled, by notice as in this Act provided, to require the proprietor of any part of such feu to redeem, and any such proprietor when so required shall be entitled to redeem, for himself and the other proprietors, the casualties incident to the whole of such feu.

(2) The compensation in respect of such casualties shall be the aggregate of the sums which would have been payable if such proprietors had been entitled, each for himself, to redeem in terms of this Act the proportion of the casualties incident to their respective parts of the feu, and such compensation shall (failing agreement among the whole of the proprietors of such

feu as to payment of the capital amount) be converted into an annual sum in terms of section nine of this Act.

(3) The annual sum into which such compensation is converted, and the expenses incurred by such part proprietor in carrying out such redemption and conversion, shall be borne by the proprietors of the respective parts of such feu inter se in the proportions which the portions of compensation applicable to these respective parts of the feu bear to the aggregate compensation; and any part proprietor paying such annual sum or expenses shall be entitled to recover their proportions from his co-proprietors, and all the remedies and preferences competent to the superior for recovery of feu duties payable from the feu, including poinding of the ground and sequestration, shall, by virtue of this Act, be held to be assigned to such part proprietor paying such annual sum to the effect of enabling him to recover their proportions from his co-proprietors and out of the parts of the feu belonging to them respectively: Provided always that, if any proprietor of part of such feu shall, in terms of the title of such feu or any part thereof, have a right of relief against his co-proprietors in the feu or their respective parts thereof from payment of the whole or any part of the casualties incident to such feu, he shall to the same extent be entitled to be relieved by them and out of their respective parts of the feu from payment of the annual sum into which such compensation may be converted, and of such expenses.

(4) The proprietor of any part of such feu shall be entitled to redeem, as if he were the proprietor of an undivided feu, the casualties, or the proportion of the annual sum into which compensation for casualties has been converted, for which as between the several parts of the feu the part belonging to such proprietor is liable by the titles or otherwise, but without prejudice to the rights of the superior to recover the compensation for the casualties applicable to the remainder of the feu or the annual sum representing such compensation as if such redemption had not been made. No proprietor of part of such feu shall be entitled, unless with the consent of the superior, to have the compensation which is applicable to his part of the feu converted separately into an annual sum in terms of this Act.

No casualties in future feus.

18. In feus granted after the commencement of this Act the annual feu-duty shall be a fixed amount or quantity, and no casualties shall be payable to the granter of the feu or his successors in the superiority, and it shall not be lawful to condition or stipulate for the payment of any casualty, but it shall be lawful to condition or stipulate for a permanent increase or reduction of the feu-duty, provided that the amount of such increase or reduction shall be certain and that the time or times, from and after which such increase or reduction is to have effect, shall also be certain and not dependent upon any event or occurrence, except the occurrence or recurrence of the

time or times at which, under the terms of such condition or stipulation, the increase or reduction of feu-duty is to have effect.

Agreement to feu prior to commencement of Act.

19. Where prior to the commencement of this Act a superior has agreed or contracted to feu land, but such agreement or contract has not been carried into effect prior to such commencement, the feu-charter, feu-contract, or other deed constituting such feu shall, for the purposes of this Act, be held to be granted as of the date of such agreement or contract.

Saving existing rights of redemption.

20. Nothing in this Act shall supersede or prejudice any right of redemption of feu-duty or casualty competent to a proprietor of a feu in virtue of the title thereof or otherwise at the commencement of this Act: Provided that when in virtue of this Act the casualties incident to any feu have been redeemed and extinguished, and the proprietor of the feu afterwards proceeds to exercise such right of redemption of feu-duty, the sum payable under the title shall be abated by the amount paid in terms of this Act for the redemption of any casualties which would have been comprised in such redemption of feu-duty, if the same had been carried out prior to the extinction of casualties in terms of this Act.

Sanctioned forms of feu-charters, &c., to be modified.

21. In cases where by statutory authority or by judicial sanction forms of feu-charters, feu-contracts, feu-dispositions or contracts of ground annual have been sanctioned, and these forms contemplate the exaction of duplicands or other payments prohibited by this Act as regards future feus, it shall be lawful for the parties concerned, without the necessity for any sanction other than this Act, to modify as regards the future the said forms which have been sanctioned so as to make them comply with enactments and provisions of this Act, and it shall not be necessary in such modified forms to refer to this Act.

Jurisdiction of sheriff court. 7 Edw. 7, c. 51. 2 & 3 Geo. 5, c. 28.

22. Subject to the provisions of the Sheriff Courts (Scotland) Acts, 1907 and 1913, any proceedings for the recovery or redemption of casualties or for the fixing or recovery of compensation therefor may be raised either in the court of session or in the sheriff court.

Acts of sederunt.

23. If it shall appear to the court of session that there exists any rights of the nature substantially of casualties which are not comprised within the scope of this Act, it shall be competent for the court by act of sederunt to provide for the redemption and extinction of such rights on terms seeming to the court to be just and equitable on the analogy of the provisions of this Act, and such act of sederunt shall have the same force and effect as if it were embodied in this Act.

Repeal.

24. The sections of the principal Act specified in the first column of Schedule E. to this Act annexed are hereby repealed to the extent mentioned in the second column of that schedule.

SCHEDULES.

SCHEDULE A.

Section 6.

TABLE REFERRED TO IN SECTION 6 OF THE FOREGOING ACT OF THE EXPECTANCY OF LIFE OF THE PERSON ON WHOSE DEATH THE INCIDENCE OF THE NEXT CASUALTY DEPENDS, SUCH PERSON BEING A MALE.

Years of Age of such Person.	Years of Expectancy of his Life.	Years of Age of such Person.	Years of Expectancy of his Life.	Years of Age of such Person.	Years of Expectancy of his Life.	Years of Age of such Person.	Years of Expectancy of his Life.
Under 1	39	26	37	52	20	78	6
1	45	27	36	53	19	79	6
2	48	28	36	54	18	80	6
3	50	29	35	55	18	81	5
4	51	30	34	56	17	82	5
5	51	31	34	57	16	83	5
6	51	32	33	58	16	84	4
7	51	33	32	59	15	85	4
8	50	34	32	60	14	86	4
9	50	35	31	61	14	87	4
10	49	36	30	62	13	88	4
11	48	37	30	63	13	89	3
12	47	38	29	64	12	90	3
13	47	39	28	65	12	91	3
14	46	40	28	66	11	92	3
15	45	41	27	67	11	93	3
16	44	42	26	68	10	94	3
17	44	43	26	69	10	95	3
18	43	44	25	70	9	96	3
19	42	45	24	71	9	97	3
20	41	46	24	72	8	98	3
21	41	47	23	73	8	99	3
22	40	48	23	74	7	100	2
23	39	49	22	75	7	101	2
24	39	50	21	76	7	102 and upwards	1
25	38	51	20	77	6		

Where such person is a female the expectancy of life shall, between the ages of twenty-five and seventy years inclusive, be deemed to be two years more, and shall, between the ages of seventy-one and eighty-five years inclusive, be deemed to be one year more than the expectancy set forth in the foregoing table, and at all other ages that table shall apply without any qualification.

SCHEDULE B.

Section 8.

FORM OF DISCHARGE OF CASUALTIES.

I, *A.B.* [*designation*], superior of the lands after mentioned, in consideration of the sum of paid to me by *C.D.* [*designation*], hereby discharge all casualties incident to my estate of superiority in the lands

of [*here describe or refer to a description of the lands discharged*]. In witness whereof :

Note.—In the case of a discharge applicable to a ground annual the above form will be adapted accordingly.

Section 10.

SCHEDULE C.

FORM OF DISCHARGE OF ADDITIONAL FEU-DUTY.

I, *A.B.* [*designation*], superior of the lands in the county of described or referred to in the memorandum entered into between and , dated and recorded in the [*specify the register of sasines and the date of recording*], in consideration of the sum of paid to me by *C.D.* [*designation*], hereby discharge the feu-duty of constituted by the said memorandum. In witness whereof :

Note.—In the case of a discharge of an additional ground annual the above form will be adapted accordingly.

Sections 4 (3), 11.

SCHEDULE D.

I.—FORM OF NOTICE TO BE GIVEN BY THE SUPERIOR REQUIRING REDEMPTION OF CASUALTIES (1).

[*Place and Date.*]

Take notice that I, as immediate superior of (2), belonging to you, require you to redeem all the casualties exigible in respect of my estate of superiority in said lands (3).

II.—FORM OF NOTICE TO BE GIVEN BY THE PROPRIETOR OF THE FEU OF INTENTION TO REDEEM CASUALTIES (1).

[*Place and Date.*]

Take notice that I, as proprietor of (2), intend to redeem all the casualties exigible in respect of your estate of superiority in said lands (4).

III.—FORM OF NOTICE FOR REGISTER OF INHIBITIONS AND ADJUDICATIONS (1).

(a) *Applicable to Court of Session Action.*

Notice of Summons *A.B.* [*design pursuer*] against *C.D.* [*design defender*] for the recovery or redemption of [*or for the fixing or recovery of compensation for*] casualties exigible in respect of the estate of superiority in (2).

Summons executed [*insert date of citation*] (5).

(b) *Applicable to Sheriff Court Action.*

Notice of Petition in the Sheriff Court of [*specify Sheriffdom*] at *A.B.* [*design pursuer*] against *C.D.* [*design defender*] for the recovery, &c. [*as above*].

Warrant of citation executed [*insert date of citation*] (5).

Notes to Schedule D.

(1) If the notice is given by the creditor in a ground annual, or by the proprietor of lands subject to a ground annual, it will be adapted accordingly.

(2) Here mention names by which the lands or subjects are generally known, so as to distinguish them to the superior or the proprietor of the feu, as the case may be, but without giving any detailed description of the lands or subjects, and if in a town or village, mention the number of the street, or otherwise distinguish the feu, and if a reference to the feu-right or deed constituting the feu-duty or ground annual, as the case may be, more easily and clearly distinguishes the lands or subjects, a reference to such feu-right or deed can be given.

(3) To be signed (but not necessarily to be attested) by the superior or his agent, and to be addressed and posted or delivered to the proprietor of the feu or his known agent, and in the event of the proprietor of the feu being unknown or doubtful the notice may be addressed and posted or delivered to the person or to the agent of the person appearing in the valuation roll as proprietor, or to the person or to the agent of the person in actual receipt of the income of the feu, and also (where there is a doubt as to the proprietor) to the person or to the agent of the person as to whom such doubt exists.

(4) To be signed (but not necessarily to be attested) by the proprietor of the feu or his agent, and to be addressed and posted or delivered to the superior or his known agent, or to the person to whom the feu-duties of the feu have been paid, and in the event of the superior being unknown or doubtful, the notice to be addressed "to the superior" of the lands mentioned in the notice without name (in the event of the proprietor being unable to ascertain name of the superior), and to be posted or sent to the office of the keeper of the register of edictal citations in Edinburgh, and published in such register, and also (where there is a doubt as to the superior) to the person or to the agent of the person as to whom such doubt exists.

(5) To be signed (but not necessarily to be attested) by the superior or his agent.

SCHEDULE E.

Section 24.

Sections of Principal Act Repealed.

Sections.	Extent of Repeal.
Section fifteen -	The whole section.
„ sixteen -	„ „
„ seventeen -	„ „
„ eighteen -	The words from and including "or the heir of entail" to the end of the section.
„ twenty-three -	The whole section.

CHAPTER 49.

An Act to make better provision with respect to the Sale of Milk and the Regulation of Dairies.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Prohibition of sale of tuberculous milk.

1. If a person—

(*a*) Sells, or offers or exposes for sale, or suffers to be sold or offered or exposed for sale, for human consumption or for use in the manufacture of products for human consumption; or

(*b*) Uses or suffers to be used in the manufacture of products for human consumption;

the milk of any cow which has given tuberculous milk, or is suffering from emaciation due to tuberculosis, or from tuberculosis of the udder, or from acute inflammation of the udder, or from any of the diseases specified in the First Schedule to this Act, he shall be guilty of an offence against this Act, if it is proved that he had previously received notice from an officer of a local authority, or that he otherwise knew, or by the exercise of ordinary care could have ascertained, that the cow had given tuberculous milk, or was suffering from any such disease.

Extension of power to make orders respecting milk and dairies. 41 & 42 Vict. c. 74. 49 & 50 Vict. c. 32.

2.—(1) The purposes for which general and special orders with respect to milk and dairies, hereinafter referred to as Milk and Dairies Orders, may be made by the Local Government Board under section thirty-four of the Contagious Diseases (Animals) Act, 1878, as amended by the Contagious Diseases (Animals) Act, 1886, shall include the following purposes:—

(*a*) the registration with local authorities of all dairies;

(*b*) the inspection by persons authorised by the local authority for the locality in which the dairy is situate of dairies and persons in or about dairies who have access to the milk or to the churns or other milk receptacles;

(*c*) the prevention of danger to health from the sale for human consumption, or from the use in the manufacture of products for human consumption, of infected, contaminated, or dirty milk;

(*d*) the prohibition of the addition of colouring matter and the prohibition or regulation of the addition of skimmed or separated milk, or water, or any other substance, to milk intended for sale for human consumption, or the abstraction therefrom of butter-fat or any other constituent, and the prohibition or

regulation of the sale for human consumption of milk to which such an addition or from which such abstraction has been made, or which has been otherwise artificially treated ;

(*e*) the regulation of the cooling, conveyance, and distribution of milk intended for sale for human consumption, or for use in the manufacture of products for human consumption ;

(*f*) the labelling, marking, or identification and the sealing or closing of churns, vessels, and other receptacles of milk for sale for human consumption or used for the conveyance of such milk ;

(*g*) authorising the use in connexion with the sale of milk of the designation "certified milk," prescribing the conditions subject to which milk may be sold under such designation and prohibiting the use of such designation in connexion with the sale of milk in respect of which the prescribed conditions are not complied with.

(2) A Milk and Dairies Order with respect to the inspection of cattle in a dairy may authorise the person making the inspection to require any cow to be milked in his presence and to take samples of the milk, and to require that the milk from any particular teat shall be kept separate and to take separate samples thereof.

(3) If any person is guilty of a contravention of, or non-compliance with, the provisions of any Milk and Dairies Order, he shall be guilty of an offence against this Act.

(4) Milk and Dairies Orders shall be made by the Local Government Board with the concurrence of the Board of Agriculture and Fisheries, and shall have effect as if enacted in this Act.

(5) All Milk and Dairies Orders shall be laid before each House of Parliament as soon as may be after they are made ; and if an Address is presented to His Majesty by either House of Parliament within the next subsequent forty days on which that House has sat next after the order is laid before it praying that the order may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of a new order. If the session of Parliament ends before such forty days as aforesaid have expired, the order shall be laid before each House of Parliament at the commencement of the next session as if it had not previously been laid.

The Rules Publication Act, 1893, shall apply to any such order as if it was a statutory rule within the meaning of section one of that Act. 56 & 57 Vict. c. 66.

3.—(1) If the medical officer of health of a county or county borough is of opinion that tuberculosis is caused, or is likely to be caused, by the consumption of the milk supplied from any Power to stop supply of milk likely to cause tuberculosis.

dairy in which cows are kept within such county or county borough, the provisions of the Second Schedule to this Act shall have effect with respect to the reports to be made and the steps to be taken with a view to stopping the supply of milk from the dairy, and with a view to stopping such supply orders may be made in accordance with that Schedule, subject to such right of appeal and the payment of compensation in such cases as are provided therein.

(2) Where an order stopping the supply of milk is made under the said schedule a dairyman shall not be liable for an action for breach of contract if the breach is due to such order.

(3) If any dairyman whilst any order made in accordance with the said schedule prohibiting the supply or use of milk is in force supplies or uses any milk in contravention of this order he shall be guilty of an offence against this Act.

(4) The Local Government Board may by order direct that the council of any non-county borough within the county, which is a local authority for the purposes of the Diseases of Animals Acts, 1894 to 1911, shall exercise and perform within the borough the powers and duties of the county council under this and the next succeeding section, and where such an order has been made with respect to any non-county borough this and the next succeeding section shall apply as if the borough were a county borough.

Obligation to inspect dairies in certain cases.

4.—(1) If the medical officer of health of any local authority has reason to suspect that tuberculosis is caused, or is likely to be caused, by the consumption of any milk which is being sold or exposed or kept for sale within the area of the local authority he shall endeavour to ascertain the source or sources of supply, and on ascertaining the facts shall forthwith give notice of them to the medical officer of health of the county or county borough in which the cows from which the milk is obtained are kept, whether the dairy where they are kept is within or without the area of the local authority, unless the local authority are themselves the council of that county or county borough.

(2) On the receipt of such notice it shall be the duty of the medical officer of health of the county or county borough to cause the cattle in the dairy to be inspected, and to make such other investigations as may be necessary.

(3) Sufficient notice of the time of the inspection shall be given to the local authority whose medical officer of health gave the notice, and to the dairyman to allow that officer or a veterinary inspector or other veterinary surgeon appointed by the authority, and, if desired, another veterinary surgeon appointed by the dairyman being present at the inspection if either party so desire.

(4) The council of the county or county borough on whose medical officer of health the notice is served shall send to the medical officer of health of the local authority who gave the notice copies of any reports which may have been made by the medical officer of health making the inspection, and of any

veterinary or bacteriological or other reports which may have been furnished to him, and shall give him information as to whether any action has been taken upon those reports and as to the nature of that action.

Power to take samples of milk.

5.—(1) It shall be lawful for an inspector of the Local Government Board, or the medical officer of health of a local authority, or any person provided with and, if required, exhibiting an authority in writing from such an inspector or from the local authority or medical officer of health, to take for examination samples of milk at any time before it is delivered to the consumer:

Provided that the powers of a medical officer of health and of a person authorised by him or by the local authority under this section shall, except so far as the Local Government Board may otherwise direct, be exerciseable only within the area of the local authority.

(2) The result of an analysis or bacteriological or other examination of a sample of milk taken under this Act shall not be admissible as evidence in proceedings under this Act, or in proceedings under the Sale of Food and Drugs Acts, 1875 to 1907, unless the provisions of the last-mentioned Acts which relate to the division of samples into parts are complied with, but if those provisions have been complied with, the result of the analysis shall be available for proceedings under the said Acts (as if it had been procured in accordance with those Acts) as well as for proceedings under this Act; provided that no proceedings shall be taken against any person unless at the time the sample was taken the milk was in his custody or control or was contained in a churn or other receptacle which had been sealed or closed in accordance with a Milk and Dairies Order.

(3) The medical officer of health or any other officer authorised for the purpose by a local authority within the area of which milk from any dairy situate outside that area is being sold or exposed or kept for sale, may by notice in writing require the medical officer of health or other authorised officer of any other local authority, being an authority for the purposes of the Sale of Food and Drugs Acts, 1875 to 1907, to take samples of the milk at that dairy or in the course of transit from that dairy to the area of the first-mentioned local authority.

(4) Upon receipt of such notice it shall, subject to the provisions of subsection (1) of this section, be the duty of the medical officer of health or other authorised officer of the other authority as soon as practicable to take samples and to forward, for analysis or bacteriological examination, to the officer who gave the notice a part of any sample so taken, and in taking a sample the officer shall, if so required by the notice, comply with the provisions of the Sale of Food and Drugs Acts, 1875 to 1907, which relate to the division of samples into parts.

The authority requiring the samples to be taken shall be liable to defray any reasonable expenses incurred, the amount whereof shall in default of agreement be settled by the Local Government Board.

For the purpose of the Sale of Food and Drugs Acts, 1875 to 1907, the sample shall be deemed to have been taken within the area of the officer who gave the notice, and proceedings under those Acts may be taken either before a court having jurisdiction within the district for which that officer acts or before a court having jurisdiction in the place where the sample was actually taken.

(5) In any proceedings under the Sale of Food and Drugs Acts, 1875 to 1907, or this Act, the production of a certificate of the officer who took the sample under this section that the provisions of this section, as to the manner in which samples are to be dealt with, were complied with shall be sufficient evidence of compliance, unless the defendant requires that officer to be called as a witness.

(6) In the exercise at any railway station or upon any railway premises of the powers conferred upon them by this section, such inspector, medical officer of health, or other person so authorised as aforesaid shall conform to such reasonable requirements of the railway company owning or using such station or premises as are necessary to prevent the working of the traffic thereat being obstructed or interfered with.

Amendment of Sale of Food and Drugs Acts.

6.—(1) The provisions of the Sale of Food and Drugs Acts, 1875 to 1907, in reference to the taking of samples of milk, and any proceedings in connexion therewith, shall be amended in accordance with the provisions contained in the Third Schedule to this Act.

(2) So much of any contract, made after the passing of this Act, as requires a purveyor of milk on a sample of his milk being taken under the Sale of Food and Drugs Acts, 1875 to 1907, to send to the person from whom he procured the milk any part of such sample or to give such person notice that a sample has been so taken, shall be null and void.

Appointment of veterinary inspectors.

57 & 58 Vict. c. 57.

7.—(1) A local authority may, and when required by the Local Government Board shall, appoint or combine with another local authority in appointing one or more veterinary inspectors or employ for the purposes of this Act and the Milk and Dairies Orders any veterinary inspector appointed under the Diseases of Animals Act, 1894, and any local authority may, and when required by the Local Government Board shall, provide or arrange for the provision of such facilities for bacteriological or other examinations of milk, as may be approved by the Board.

(2) Any order requiring a combination of local authorities for the purposes of this section may provide for all matters incidental to such combination, and in particular how the expenses incurred are to be apportioned.

8. The Local Government Board shall make regulations under the Public Health (Regulations as to Food) Act, 1907, for the prevention of danger arising to public health from the importation of milk and milk products intended for sale for human consumption or for use in the manufacture of products for human consumption. Regulations as to imported milk. 7 Edw. 7. c. 32.

9.—(1) The sanitary authority of any district may, with the approval of the Local Government Board, establish and thereafter maintain depôts for the sale at not less than cost price of milk specially prepared for consumption by infants under two years of age, and purchase and prepare milk and provide such laboratories, plant, and other things, and exercise and perform such other powers and duties, as may be necessary for the purposes of this section. Establishment of milk depôts.

(2) The Local Government Board may attach such conditions to their approval as they may deem necessary.

10.—(1) If a local authority fail to fulfil any of their duties under this Act, or under any Milk and Dairies Order, the Local Government Board may after holding a local inquiry make such order as they think necessary or proper for the purpose of compelling the authority to fulfil their duties, and any such order may be enforced by mandamus. Enforcement of duties of local authorities.

(2) Where the authority in default is a district council, the Local Government Board may determine that all or any of the powers of the council under this Act or the Milk and Dairies Orders be transferred to the county council, and those powers shall be transferred accordingly, and section sixty-three of the Local Government Act, 1894, shall apply as if the powers had been transferred under that Act. 56 & 57 Vict. c. 73.

11. If any person obstructs any inspector or other officer of the Local Government Board, or any medical officer of health, or any veterinary inspector or surgeon, or other officer of or person employed by a local authority, in the execution of his powers under this Act or any Milk and Dairies Order, or fails to give any such officer all reasonable assistance in his power, or to furnish him with any information he may reasonably require, he shall be guilty of an offence against this Act. Penalty for obstruction.

12.—(1) The Local Government Board may by order apply for the purposes of this Act the provisions of any public general Act relating to the holding of local inquiries by the Local Government Board, and the expenses of such inquiries, and the powers of the persons holding any such inquiry, and the manner in which notices may be served. Supplemental provisions.

(2) A local authority may delegate to a committee any of their powers or duties (other than the power of raising rates) under the provisions of this Act or of any Milk and Dairies Order, and in such case anything required or authorised by those provisions to be done to or by the local authority may be

done to or by the committee to which such powers and duties have been so delegated.

(3) For the purpose of the exercise and performance of their powers and duties by sanitary authorities under this Act and the Milk and Dairies Orders the purposes of this Act and those Orders shall be deemed to be included amongst the purposes of the Public Health Act, 1875, or the Public Health (London) Act, 1891, as the case may require.

38 & 39 Vict. c. 55. 54 & 55 Vict. c. 76.

(4) Any inspection of cattle made in pursuance of this Act or any Milk and Dairies Order shall be carried out by a veterinary inspector or other properly qualified veterinary surgeon.

Compensation to existing officers or servants.

13. If in consequence of the passing of this Act or of anything done in pursuance or in consequence thereof any officer or servant of any local authority who held office at the passing of this Act suffers any direct pecuniary loss by abolition of office, or by diminution or loss of fees or salary, he shall be entitled to have compensation paid to him for such pecuniary loss by the local authority, and such compensation shall be determined in accordance with and subject to the conditions prescribed by section one hundred and twenty of the Local Government Act, 1888, and that section with the necessary adaptations shall apply accordingly.

51 & 52 Vict. c. 41.

Expenses of local authorities.

14. The expenses of local authorities under this Act and the Milk and Dairies Orders shall be defrayed—

(*a*) in the case of a county council, out of the county fund, as expenses for general county purposes, or, if an order of the Local Government Board so directs as respects any such expenses as expenses for special county purposes charged on such part of the county as may be provided by the order;

(*b*) in the case of the common council, out of the general rate;

(*c*) in the case of the council of a metropolitan borough, as part of the expenses incurred by the council in the execution of the Public Health (London) Act, 1891;

(*d*) in the case of the council of a municipal borough or urban or rural district, as part of their general expenses incurred in the execution of the Public Health Acts.

Provisions as to offences.

15.—(1) If any person commits an offence against this Act, he shall be liable on summary conviction to a fine not exceeding in the case of a first offence five pounds and in the case of a second or subsequent offence fifty pounds, and if the offence is a continuing offence to a further fine not exceeding forty shillings for each day during which the offence continues.

(2) Proceedings against a dairyman for failure to comply with an order made under the Second Schedule to this Act,

requiring the dairyman not to supply milk from a dairy, may be taken before a court of summary jurisdiction, either in the place where the offence was committed or in the place where the dairy is situated, and shall be taken only by the authority by which the order was made.

(3) Where the occupier of a dairy is charged with an offence against this Act, he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge; and, if, after the commission of the offence has been proved, the occupier of the dairy proves to the satisfaction of the court—

(*a*) that he has used due diligence to enforce the execution of this Act and the Milk and Dairies Orders; and

(*b*) that the said other person had committed the offence in question without his knowledge, consent or connivance;

that other person shall be summarily convicted of the offence, and the occupier shall be exempt from any fine, and the person so convicted shall, in the discretion of the court, be also liable to pay any costs incidental to the proceedings.

(4) When it is made to appear to the satisfaction of the authority by or on whose behalf proceedings are about to be taken—

(*a*) that the actual occupier of the dairy has used all due diligence to enforce the execution of this Act and the Milk and Dairies Orders; and

(*b*) by what person the offence has been committed; and

(*c*) that it has been committed without the knowledge, consent, or connivance of the occupier of the dairy and in contravention of his orders;

proceedings shall be taken against the person who is believed to be the actual offender without first proceeding against the occupier of the dairy.

(5) The duty of taking proceedings for enforcing the provisions of section one of this Act shall rest on the county council or county borough council, without prejudice however to the power of a sanitary authority in a county to take such proceedings, and the duty of taking proceedings for enforcing the provisions of any Milk and Dairies Order shall rest on the local authority prescribed in the order, and the clerk of the local authority, or other officer whom the local authority may appoint, shall have power, if so authorised by the local authority, to institute and carry on such proceedings:

Provided that in cases where the Local Government Board make an Order under section three of this Act directing that the council of a non-county borough shall exercise and perform within the borough the powers and duties of a county council under sections three and four of this Act, the duty of taking proceedings for enforcing the provisions of section one of this

Act in such borough shall rest on the council thereof and not on the county council.

(6) Notwithstanding anything contained in any Act to the contrary, all fines imposed in any proceedings instituted by or on behalf of a local authority in the exercise of their powers and duties under this Act shall be paid to the authority and carried to the credit of the fund out of which the expenses incurred by the authority under this Act are defrayed.

Interpretation.

16.—(1) In this Act and in the Contagious Diseases (Animals) Act, 1878, and the Contagious Diseases (Animals) Act, 1886, unless the context otherwise requires—

The expression "dairy" includes any farm, cowshed, milk store, milk shop, or other place from which milk is supplied on, or for, sale or in which milk is kept or used for purposes of sale or manufacture into butter, cheese, dried milk or condensed milk for sale, and, in the case of a purveyor of milk who does not occupy any premises for the sale of milk, includes the place where he keeps the vessels used by him for the sale of milk, but does not include a shop from which milk is not supplied otherwise than in the properly closed and unopened receptacles in which it was delivered to the shop, or a shop or other place in which milk is sold for consumption on the premises only;

The expression "milk" includes cream, skimmed milk, and separated milk;

The expression "dairyman" includes any occupier of a dairy, any cowkeeper, or any purveyor of milk;

The expression "purveyor of milk" includes a seller of milk, whether wholesale or by retail;

The expression "medical officer of health" includes any duly qualified medical practitioner authorised by the council to act on behalf of the medical officer of health;

The expression "veterinary inspector" means an inspector being a member of the Royal College of Veterinary Surgeons, or having such other veterinary qualifications as may be approved by the Board of Agriculture and Fisheries;

The expression "sanitary authority" as respects London means the sanitary authority for the purposes of the Public Health (London) Act, 1891, and elsewhere the council of a borough or of an urban or rural district, and the expression "sanitary district" means the district of such authority;

The expression "common council" means the mayor, aldermen, and commons of the City of London in common council assembled.

(2) Where milk is sold or exposed or kept for sale it shall be presumed to be sold or exposed or kept for sale for human con-

sumption or for use in the manufacture of products for human consumption, unless the contrary is proved.

(3) Where milk is kept in any dairy, or in the custody or possession of any dairyman, it shall be presumed to be kept for purposes of sale, or manufacture for sale, unless the contrary is proved.

(4) The expression "local authority" in section nine of the Contagious Diseases (Animals) Act, 1886, and in this Act shall include sanitary authorities and county councils, but with respect to the provisions of any Milk and Dairies Order, the order may prescribe by what local authority or authorities the several provisions thereof are to be enforced and executed, and any such order may provide for the giving of assistance and information by county councils to sanitary authorities and by sanitary authorities to county councils for the purpose of their respective duties under this Act or under any Milk and Dairies Order.

(5) The Scilly Islands shall be deemed to be a county and the council of those Islands the council of a county, and any expenses incurred by that council under this Act or the Milk and Dairies Orders shall be treated as general expenses of the council.

Application to London. 7 Edw. 7. c. 53.

17.—(1) Section fifty-three of the Public Health Acts Amendment Act, 1907 (which confers power to require dairymen to furnish lists of sources of supply), shall apply to London as if it were herein re-enacted with the substitution of references to sanitary authorities and districts of sanitary authorities for references to local authorities and the districts of local authorities, and any penalties imposed by the said section as so applied shall be recoverable summarily.

(2) Any provisions of the Public Health Act, 1875, applied by this Act shall, for the purposes for which they are so applied, extend to London, subject to necessary adaptations.

(3) Section thirty-four of the Contagious Diseases (Animals) Act, 1878, as amended by section nine of the Contagious Diseases (Animals) Act, 1886, and this Act shall, notwithstanding anything in the Public Health (London) Act, 1891, extend to London.

(4) A Milk and Dairies Order affecting London shall provide for the exercise and performance by sanitary authorities in London of all powers and duties under the order which would have been imposed or conferred on sanitary authorities if this Act had not been passed and the order had been made under section twenty-eight of the Public Health (London) Act, 1891, as amended by sections five and six of the London Government Act, 1899, except that the order may provide for the exercise and performance by the London County Council of powers and duties relating to the inspection of cattle in dairies.

62 & 63 Vict. c. 14.

(5) Nothing in this Act, or in any Milk and Dairies Order, shall affect the powers with respect to the registration of dairymen and purveyors of milk within their own area conferred on

8 Edw. 7. c. cvii.

sanitary authorities in London by section five of the London County Council (General Powers) Act, 1908.

(6) The borrowing of moneys by any metropolitan borough council for the purposes of this Act shall be subject in all respects to the provisions of sections one hundred and eighty-three to one hundred and eighty-nine of the Metropolis Management Act, 1855, as amended by any subsequent Act.

18 & 19 Vict. c. 120.

(7) Where the authority in default is a metropolitan borough council the provisions of section one hundred and one of the Public Health (London) Act, 1891, shall apply in all respects as if such default had been made under the said Act.

Short title, commencement, extent, and repeal.

18.—(1) This Act may be cited as the Milk and Dairies Act, 1914, and shall come into operation on the first day of January nineteen hundred and fifteen, or such later date, not being later than the first day of October nineteen hundred and fifteen as the Local Government Board may by order appoint.

(2) This Act shall not extend to Scotland or Ireland.

(3) The enactments specified in the Fourth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule, and there shall also be repealed, as from the expiration of one year after the commencement of this Act, so much of any local Act as deals with any of the matters dealt with by any of the provisions of this Act.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

DISEASES OF COWS IN ADDITION TO TUBERCULOSIS TO WHICH SECTION ONE APPLIES.

Acute mastitis.
Actinomycosis of the udder.
Anthrax.
Foot-and-mouth disease.
Suppuration of the udder.
Any other disease affecting cows which by a Milk and Dairies Order is declared to be a disease for the purposes of section one of this Act.

SECOND SCHEDULE.

Sections 3, 15 (2).

Procedure for stopping Supply of Milk under Section three.

(1) The medical officer of health of the county or county borough in which the cows from which the milk is obtained are kept shall report the matter to the council of such county or county borough (hereinafter referred to as the responsible authority).

(2) His report shall be accompanied by the veterinary or bacteriological reports which have been furnished to him.

(3) On the receipt of the report or a copy of the report from the medical officer of health, the responsible authority may serve on the dairyman notice to appear before them, or furnish an explanation in writing, within such time not less than forty-eight hours from the time of the service of the notice on him as may be specified in the notice, to show cause why such an order as is hereinafter mentioned should not be made.

(4) The notice shall be accompanied by a copy of the reports made in respect of the dairy.

(5) The responsible authority if, in their opinion, the dairyman has failed to show cause why an order should not be made, may make an order prohibiting him, either absolutely or unless such conditions as may be prescribed in the order are complied with, from supplying for human consumption, or using or supplying for use in the manufacture of products for human consumption, any milk from the dairy or from any particular cow or cows therein until the order has been withdrawn in accordance with the provisions of this Schedule.

(6) The order shall specify the grounds on which it is made.

(7) On the making of such an order, a copy of the order shall forthwith be served on the dairyman, and notice of the facts shall also be served on the Local Government Board and the Board of Agriculture and Fisheries.

(8) Where no order is made, the responsible authority shall allow the dairyman any reasonable expenses incurred by him in showing cause why the order should not be made.

(9) An order prohibiting the supply or use of milk made under this Schedule shall forthwith be withdrawn, and notice of withdrawal served on the dairyman as soon as may be after the responsible authority or their medical officer of health is satisfied that the milk supplied from the dairy is not likely to cause disease.

(10) The medical officer of health shall have power to withdraw an order if so authorised by the responsible authority.

(11) If a dairyman is aggrieved by the making or continuance of an order prohibiting the supply or use of milk, he may by complaint under the Summary Jurisdiction Acts appeal to a court of summary jurisdiction.

(12) A court of summary jurisdiction on such appeal may confirm, vary, or withdraw the order and may direct to and by whom the costs of the appeal are to be paid.

(13) Pending the determination of the appeal, an order shall remain in force unless previously withdrawn.

(14) If an order prohibiting the supply or use of milk is made against a dairyman he shall unless the order has been made in consequence of his own default or neglect be entitled to recover from the responsible authority full compensation for any damage or loss which he may have sustained by reason of the making of the order. The dairyman shall also be entitled to full compensation for any damage or loss which he may sustain in consequence of the responsible authority unreasonably neglecting or refusing to withdraw an order made against him.

(15) In the case of an appeal under this schedule being allowed, the court to which the appeal is made shall determine and state whether the order, the subject of appeal, was made in consequence of the default or neglect of the dairyman or the withdrawal has been unreasonably neglected or refused.

(16) Any dispute as to the fact of damage or loss or as to the amount of compensation shall be settled by arbitration in the same manner as provided by the Public Health Act, 1875, and any sum awarded as compensation shall be recoverable as a civil debt.

(17) If the compensation claimed does not exceed twenty pounds it may at the option of either party instead of being settled as herein-before provided be settled by, and recoverable before, a court of summary jurisdiction.

Section 6.

THIRD SCHEDULE.

AMENDMENT OF SALE OF FOOD AND DRUGS ACTS.

(1) Where, under the Sale of Food and Drugs Acts, 1875 to 1907, a sample of milk is procured from a purveyor of milk, he shall, on being required to do so by the person by whom or on whose behalf the sample was taken, state the name and address of the seller or consignor from whom he received the milk.

(2) The local authority in whose district the sample was taken may take or cause to be taken one or more samples of milk in course of transit or delivery from such seller or consignor.

Within sixty hours after the sample of milk was procured from the purveyor he may serve on the local authority a notice stating the name and address of the seller from whom he received the milk and the time and place of delivery to the purveyor by the seller or consignor of milk from a corresponding milking and requesting them to take immediate steps to procure, as soon as practicable, a sample of milk in the course of transit or delivery from the seller or consignor to the purveyor, unless a sample has been so taken since the sample was procured from the purveyor, or within twenty-four hours prior to the sample being procured from the purveyor, and where a purveyor has not served such notice as aforesaid, he shall not be entitled to plead a warranty as a defence in any such proceedings :

Provided that the purveyor shall not have any such right to require that such a sample shall be taken in cases where the milk, from which the sample procured from the purveyor was taken, was a mixture of milk obtained by the purveyor from more than one seller or consignor.

If a purveyor has served on the local authority such a notice as aforesaid, and the local authority have not procured a sample of milk

from the seller or consignor in accordance with the foregoing provisions, no proceedings under the Sale of Food and Drugs Acts, 1875 to 1907, shall be taken against the purveyor in respect of the sample of milk procured from him.

(3) Any sample of milk so taken in the course of transit or delivery shall be submitted for analysis to the analyst to whom the sample procured from the purveyor is or was submitted.

(4) If proceedings are taken against the purveyor of milk, a copy of the certificate of the result of the analysis of every sample so taken in the course of transit or delivery shall be furnished to the purveyor, and every such certificate shall, subject to the provisions of section twenty-one of the Sale of Food and Drugs Act, 1875, be sufficient evidence of the facts stated therein, and shall be admissible as evidence on any question whether the milk sold by the purveyor was sold in the same state as he purchased it.

(5) The local authority of the district in which the first-mentioned sample was taken may, instead of, or in addition to, taking proceedings against the purveyor of milk, take proceedings against the seller or consignor.

(6) If a sample of milk of cows in any dairy is taken in course of transit or delivery from that dairy, the owner of the cows may, within sixty hours after the sample of milk was procured, serve on the local authority a notice requesting them to take immediate steps to procure as soon as practicable a sample of milk from a corresponding milking of the cows, and the foregoing provisions shall apply accordingly :

Provided that the person taking the sample shall be empowered to take any such steps at the dairy as may be necessary to satisfy him that the sample is a fair sample of the milk of the cows when properly and fully milked.

FOURTH SCHEDULE.

Section 18 (3).

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
49 & 50 Vict. c. 32.	The Contagious Diseases (Animals) Act, 1886.	In section nine, subsections (3) (5) and (6) so far as they relate to England.
54 & 55 Vict. c. 76.	The Public Health (London) Act, 1891.	Section twenty-eight.
62 & 63 Vict. c. 14.	The London Government Act, 1899.	In Part I. of the Second Schedule, the last paragraph in both columns.

CHAPTER 50.

An Act to make such amendments of the Law relating to Merchant Shipping as are necessary or expedient to give effect to an International Convention for the Safety of Life at Sea, signed in London on January the twentieth, nineteen hundred and fourteen, and for purposes incidental thereto. [10th August 1914.]

WHEREAS a convention (in this Act referred to as the Convention), a translation of which is for the purpose of convenience of reference set out in the First Schedule to this Act, was signed in London on January the twentieth, nineteen hundred and fourteen, for determining by a common agreement certain uniform rules with respect to the safety of life at sea, and it is desirable that such amendments should be made in the law relating to merchant shipping as will enable effect to be given to that Convention:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Ice and Derelicts; Navigation of North Atlantic.

Contribution towards a service for watching ice and derelicts in the North Atlantic.

1. Any sums required for the contribution from the United Kingdom towards establishing and maintaining, in accordance with the Convention, a service in the North Atlantic for the destruction of derelicts, for the study and observation of ice conditions, and for ice patrol, shall be paid by the Board of Trade out of moneys provided by Parliament.

Report of dangerous ice or dangerous derelicts.

2.—(1) The master of a British ship registered in the United Kingdom, if he meets with or is informed of any dangerous ice or dangerous derelict or any other imminent and serious danger to navigation on or near his course, shall—

(*a*) if the ship is fitted with a wireless telegraphy installation, send out the wireless danger call described in Part I. of the Second Schedule to this Act, followed, as provided in that Schedule, by a message conveying the required information, and if the ship is not so fitted, communicate the information, by any other means of communication at his disposal, to ships in the vicinity; and

(*b*) make a report to shore as soon as possible in accordance with rules to be made for the purpose by the Board of Trade.

(2) If the master of a ship fails to comply with the provisions of this section, he shall be liable in respect of each offence to a fine not exceeding fifty pounds.

(3) Every person in charge of a wireless telegraph station which is under the control of the Postmaster-General, or which is established or installed under licence of the Postmaster-General, shall, on receiving the wireless danger call, refrain from sending messages for a time sufficient to allow other stations to receive the message conveying information, and, if so required by the Board of Trade, shall transmit the information in such manner as may be required by the Board.

Compliance with this provision shall be deemed to be a condition of every licence granted by the Postmaster-General under the Wireless Telegraphy Act, 1904. 4 Edw. 7. c. 24.

Nothing in this provision shall interfere with the transmission of the wireless distress call described in Part I. of the Second Schedule to this Act.

(4) The transmission in pursuance of this section of messages respecting ice and derelicts shall be free of cost to the ships concerned, and any expenses of the transmission of those messages which would but for this provision fall on the ship shall, so far as they are not otherwise defrayed, be defrayed out of moneys provided by Parliament.

(5) The Derelict Vessels (Report) Act, 1896, is hereby repealed. 59 & 60 Vict. c. 12.

Careful navigation near ice.

3.—(1) The master of a British ship registered in the United Kingdom, when ice is reported on or near his course, shall at night either proceed at a moderate speed, or change his course so as to keep amply clear of the ice reported and of the area of danger.

(2) If the master of a ship fails to comply with this section, he shall be liable, in respect of each offence, to a fine not exceeding one hundred pounds.

Notice of Atlantic routes.

4.—(1) The owner of any line of passenger steamers registered in the United Kingdom crossing the North Atlantic from or to any port in the United Kingdom by regular routes shall give public notice, in such manner as may be directed by the Board of Trade, of the routes which it is proposed that the ships belonging to the line should follow, and of any changes which may be made in those routes.

(2) If the owner of a line of passenger steamers fails to comply with this section, the owner shall be liable, in respect of each offence, to a fine not exceeding twenty pounds.

Response to, and Use of, Distress Signals.

Obligation to render assistance on receiving wireless distress call.

5.—(1) The master of a British ship registered in the United Kingdom shall, when a wireless distress call as described in Part I. of the Second Schedule to this Act is received on his ship from any other ship, proceed with all speed to the assistance of the persons in distress unless he is informed by or on behalf of the ship from which the call is received that his assistance is not wanted, or unless for any other reason it is impracticable,

unreasonable, or unnecessary in the special circumstances of the case so to proceed, and, if he fails to comply with this provision, he shall be guilty of a misdemeanour.

Compliance by the master of a ship with this provision shall not affect his right or the right of any other person to salvage.

(2) In any case where the master of a British ship registered in the United Kingdom on receiving the wireless distress call from a ship does not proceed to the assistance of the persons in distress, he shall enter the fact and the reasons justifying his action in the official logbook and, if necessary, immediately inform the master of the ship from which the call is received.

Penalty for misuse of distress signals.

6.—(1) The master of a British ship registered in the United Kingdom shall not use or display or cause or permit any person under his authority to use or display, nor shall any person on a British ship registered in the United Kingdom use or display—

(*a*) any signal or call which is recognised as a signal or call of distress or danger under section four hundred and thirty-four of the principal Act or otherwise, except in circumstances which justify the use of the signal or call ; or

(*b*) any private signals, whether registered or not, which cannot easily be distinguished from any such signals or calls.

(2) If the master of any ship or any other person acts in contravention of this section, he shall be liable in respect of each offence to a fine not exceeding fifty pounds.

(3) The Board of Trade may revoke the registration of any private signals registered under section seven hundred and thirty-three of the principal Act, if in their opinion the signals are such that they cannot be easily distinguished from signals which are for the time being recognised as signals or calls of distress or danger.

Provision for Morse signalling.

7.—(1) A passenger steamer which is subject to the provisions of Part II. of this Act shall be provided with a Morse signalling lamp of sufficient range.

(2) A printed copy of the code of urgent and important signals specified in Part II. of the Second Schedule to this Act shall be placed in a conspicuous place in the chart room of every ship registered in the United Kingdom.

(3) If the provisions of this section are not complied with in the case of any passenger steamer or any ship, the owner (if in fault) shall be liable in respect of each offence to a fine not exceeding twenty pounds, and the master (if in fault) shall be liable in respect of each offence to a fine not exceeding ten pounds.

(4) Paragraph (*b*) of subsection (3) of section two hundred and seventy-two of the principal Act, shall be read as if "signalling apparatus" were included in that paragraph.

Part II.

Manning, Construction, and Equipment of Passenger Steamers.

Manning of passenger steamers.

8.—(1) Every passenger steamer which is registered in the United Kingdom shall be manned with a crew sufficient and efficient from the point of view of safety of life at sea for the purpose of her intended voyage, and shall during her voyage be kept so manned.

(2) If any of the provisions of this section are not complied with in the case of any steamer, sections four hundred and fifty-nine and four hundred and sixty of the principal Act shall apply to the steamer as it applies to ships which are, by reason of undermanning, unfit to proceed to sea without serious danger to human life, having regard to the nature of the service for which they were intended, and the owner of the ship (if in fault) shall be liable in respect of each offence to a fine not exceeding one hundred pounds, and the master of the ship (if in fault) shall be liable in respect of each offence to a fine not exceeding fifty pounds.

(3) The Board of Trade shall make rules with respect to the manning of passenger steamers for the purposes of this section from the point of view of safety of life at sea, and where those rules apply to a ship the ship shall for the purposes of this section be deemed to be manned with a sufficient and efficient crew if she is manned in accordance with those rules, and not to be manned with a sufficient and efficient crew if she is not manned in accordance with those rules.

Rules with respect to construction of passenger steamers.

9.—(1) With a view to securing the safety of passenger steamers which are registered in the United Kingdom, the Board of Trade may make such rules as appear to them necessary or expedient to carry into effect the provisions of the Convention mentioned in Part I. of the Third Schedule to this Act (which relate to the construction of steamers), and also to carry into effect any international agreement which may be arrived at as the result of the procedure under Article 30 of the Convention.

(2) Rules made under this section shall not apply to steamers already constructed or in the course of construction at the time of the passing of this Act, or the construction of which is commenced after that time and before the first day of July nineteen hundred and fifteen, except so far as it may appear to the Board of Trade practicable and reasonable to apply those rules to any such steamer or any class of such steamers, with any exceptions or modifications, or subject to any conditions which appear expedient to the Board in the circumstances.

Rules with respect to closing and trial of watertight doors, &c.

10.—(1) The Board of Trade may make such rules with respect to the closing and periodical trial and operation of watertight doors, side scuttles, valves, and other like contrivances in passenger steamers which are registered in the

United Kingdom, as appear necessary or expedient to carry into effect the provisions of the Convention mentioned in Part II. of the Third Schedule to this Act.

(2) If the master of a passenger steamer acts in contravention of or fails to comply with any rule made under this section, he shall be liable in respect of each offence to a fine not exceeding one hundred pounds.

Rules with respect to life-saving appliances.

11.—(1) The accommodation provided on a passenger steamer which is registered in the United Kingdom, by life-boats and (to the extent to which they are allowed in substitution for life-boats in pursuance of rules made under this section) by pontoon life rafts, shall be at least sufficient for every person on board the ship, and if such a steamer has on board at any time a total number of persons greater than that for which accommodation is so provided, the owner of the ship (if in fault) shall be liable in respect of every person in excess to a fine not exceeding ten pounds, and the master of the ship (if in fault) shall be liable in respect of every person in excess to a fine not exceeding five pounds, and subsections (2) and (3) of section four hundred and thirty of the principal Act shall apply with respect to penalties under this section as they apply with respect to penalties under that section.

(2) Rules with respect to life-saving appliances made under section four hundred and twenty-seven of the principal Act shall make such provision as is necessary to carry into effect, as respects passenger steamers which are registered in the United Kingdom, the provisions of the Convention mentioned in Part III. of the Third Schedule to this Act, and such alteration of, and addition to, the rules for the time being in force shall be made as are necessary or expedient for that purpose.

The power to make rules under section four hundred and twenty-seven of the principal Act is hereby extended so as to include such further power, if any, as may be required to give full effect to this provision.

Supplemental provisions for saving life on board ship in case of accident.

12.—(1) The Board of Trade may make such rules as appear to them necessary or expedient for carrying out, in the case of passenger steamers which are registered in the United Kingdom, the provisions of the Convention with respect to the internal arrangement and the lighting of ships, manning of boats, certificates for lifeboatmen, prevention, detection, and extinction of fire on board ship, mustering and duties of the crew in case of accident, and for practice and drills with a view to action in emergencies, which are mentioned in Part IV. of the Third Schedule to this Act.

(2) If any rule made under this section is not complied with in the case of any ship, the owner of the ship (if in fault) shall be liable in respect of each offence to a fine not exceeding one hundred pounds, and the master of the ship (if in fault) shall be liable in respect of each offence to a fine not exceeding fifty

pounds, and subsections (2) and (3) of section four hundred and thirty of the principal Act shall apply with respect to the penalties under this section as they apply with respect to the penalties under that section.

(3) A seaman or apprentice to the sea service shall, during the period for which he is entitled to receive wages, take part, in accordance with any requirements of the master, in any muster or drill required by rules under this section, and wilful failure or refusal on the part of any such seaman or apprentice so to take part in a muster or drill shall be regarded as wilful disobedience of a lawful command within the meaning of paragraph (*b*) of subsection (1) of section two hundred and twenty-five of the principal Act; but a seaman or apprentice to the sea service shall not be compelled to take part in a muster or drill at the end of a voyage.

Power of Board of Trade to exempt passenger steamers going on short voyages.

13. Any passenger steamer proceeding on a voyage within the home trade limits shall be exempt from the provisions of this Part of this Act, and the Board of Trade may by order exempt any passenger steamers proceeding on any other voyage specified in the order from all or any of the provisions of this Part of this Act according to the voyage on which they are proceeding, if the Board are of opinion that, having regard to the nature of the voyage, it is unnecessary or unreasonable that the provisions from which the steamers are exempted should be applied to the steamers during the voyage; but no such exemption shall be given in relation to any voyage in the course of which the steamer goes more than two hundred sea miles from the nearest coast.

Definition of passenger steamer for the purpose of Part II.

14. For the purposes of this Part of this Act—

A passenger steamer means a steamer which carries more than twelve passengers.

Persons who are on board a steamer by reason of force majeure or as the result of any obligation on the part of a master to carry shipwrecked persons or persons in like circumstances, shall not be deemed to be passengers and shall not be counted when reckoning the number of persons on board a ship.

Part III.

Wireless Telegraphy.

Wireless telegraphy requirements.

15.—(1) Subject to the provisions of this Act, every British ship registered in the United Kingdom which carries fifty or more persons shall be provided with a wireless telegraphy installation, and shall maintain a wireless telegraphy service which shall be at least sufficient to comply with the rules made for the purpose under this Act, and shall be provided with certified operators and watchers at least in accordance with those rules. Provided that the obligations imposed by this

section shall not come into operation until such date, not being less than six months after the making of those rules, as may be specified in the rules.

(2) In reckoning the number of persons carried on a ship for the purpose of this section, persons shall not be counted who are exceptionally and temporarily carried on a ship—

(*a*) as the result of force majeure; or

(*b*) as the result of the necessity of increasing the number of the crew to fill the places of members of the crew who are ill or disabled; or

(*c*) as the result of the obligation on the part of the master to carry shipwrecked persons, or persons in like circumstances; or

(*d*) if so provided by rules of the Board of Trade, as cargo hands for a part of the voyage not being between one continent and another, and not being, during the time the hands are carried, outside the limits of latitude thirty degrees north and thirty degrees south.

(3) If this section is not complied with in the case of any ship, the master or owner of the ship shall be liable in respect of each offence to a fine not exceeding five hundred pounds, and any such offence may be prosecuted summarily, but if the offence is prosecuted summarily the fine shall not exceed one hundred pounds.

Rules with respect to wireless telegraphy requirements.

16.—(1) The Board of Trade, in consultation with the Postmaster-General, shall make such rules with respect to wireless telegraphy installations and service on British ships which are registered in the United Kingdom and with respect to the carrying on those ships of operators and watchers for the purposes of wireless telegraphy, as appear to them necessary or expedient to carry into effect the provisions of the Convention mentioned in Part V. of the Third Schedule to this Act.

(2) The Board of Trade may by rules made under this section exempt from the obligations of this Act as to wireless telegraphy—

(*a*) ships while on voyages the course of which does not take the ship more than a hundred and fifty sea miles from the nearest coast, if the Board are satisfied that the route and the conditions of the voyage are such as to render compliance with those obligations unreasonable or unnecessary; and

(*b*) sailing ships on which, owing to the peculiar or primitive nature of their build, it is impossible to provide a proper wireless telegraphy installation.

(3) The Board of Trade may by rules made under this section provide that any automatic calling apparatus which is certified by them to be efficient and to have been accepted by the parties to the Convention may be substituted, for the

purposes of the provisions of this Act and any rules made thereunder relating to wireless telegraphy, for a certified operator or watcher.

Power to postpone operation of wireless telegraphy provisions as respects particular ships.

17. The Board of Trade may postpone the operation of the provisions of this Act relating to wireless telegraphy as respects any particular ship for such period as the Board of Trade determine in each case, if it is shown by the owners of the ship that they have taken all reasonable steps to comply with the provisions of this Act as respects the ship, but that they have been unable to do so owing to difficulties in obtaining delivery of any wireless telegraphy apparatus or of obtaining the service of certificated operators or watchers.

The period of postponement under this section shall not exceed one year in the case of ships which are required in pursuance of the Convention to provide a first-class wireless telegraphy service, and two years in the case of ships which are so required to provide a third-class wireless telegraphy service, and in the case of ships which are so required to provide a second-class wireless telegraphy service, shall not exceed one year as respects the provision of a wireless telegraphy installation and two years as respects the provision of a continuous watch.

Part IV.

Safety Certificate.

Certificate of safety.

18.—(1) Where any provisions of Parts II. and III. of this Act are applicable to a British ship registered in the United Kingdom, that ship shall not proceed to sea from a port in the United Kingdom unless a certificate (in this Act referred to as a safety certificate) has been granted in respect of the ship, and is for the time being in force, and shall be provided with a safety certificate when coming into such a port.

(2) If the provisions of this section are not complied with in the case of any ship, the master of the ship shall be liable to a fine not exceeding one hundred pounds.

(3) The master of any ship to which this section applies shall produce the safety certificate on being required by any officer authorised by the Board of Trade to require the production of the certificate; and if the certificate is not produced the ship may be detained.

(4) The safety certificate shall certify, in the form set out in the Fourth Schedule to this Act, that the provisions of the Convention therein referred to have been complied with, and shall be a certificate granted by or under the authority of the Board of Trade under this Part of this Act.

Granting of safety certificates for British ships.

19.—(1) The Board of Trade shall not grant a safety certificate or allow a safety certificate to be granted unless they are satisfied, on the report of a wireless telegraphy inspector, as respects provisions relating to wireless telegraphy, and on the

report of a surveyor of ships appointed under section seven hundred and twenty-four of the principal Act as respects other matters, that the certificate can be properly granted, and if they are so satisfied, shall grant the certificate.

(2) A copy of any report of a wireless telegraphy inspector or surveyor of ships for the purposes of this section shall be sent to the owner of the ship, and if the owner feels aggrieved by the report he may appeal to the court of survey for the port or the district where the ship for the time being is, in manner provided by the rules of that court.

On any such appeal the judge of the court of survey shall report to the Board of Trade on the question raised by the appeal, and for the purposes of deciding the question whether the certificate of safety is to be granted or not, the report from the judge of the court of survey shall be substituted by the Board of Trade for the report which has been the subject of appeal.

(3) A safety certificate shall not be in force for more than one year from the date of its issue, nor after notice is given by the Board of Trade to the owner, agent, or master of the ship in respect of which it has been granted, that the Board of Trade have cancelled the certificate.

(4) If a ship in respect of which a safety certificate has been granted is absent from the United Kingdom at the time when the certificate expires, the Board of Trade, or any person authorised by them for the purpose, may, if it appears proper and reasonable so to do, grant such an extension of the certificate as will allow the ship to complete the return voyage to the United Kingdom, but no such extension shall have effect for a period exceeding five months from the date of the expiration of the certificate.

(5) Sections two hundred and seventy-six, two hundred and seventy-seven, two hundred and seventy-nine, two hundred and eighty, two hundred and eighty-one, and two hundred and eighty-two of the principal Act (which in connection with passenger steamer certificates relate to the transmission of a certificate, fees for certificate, the cancellation, delivery up, posting up, and penalties for the forgery of, a certificate) shall apply with respect to a safety certificate as they apply with respect to a passenger steamer's certificate, with the substitution of the report of the surveyor or inspector under this section for the declaration of survey.

Wireless telegraphy inspectors.

20.—(1) The Postmaster-General (and the Board of Trade, if they desire to do so for any special purposes in connexion with wireless telegraphy on board a ship,) may appoint officers (in this Act referred to as wireless telegraphy inspectors) for the purpose of inspecting ships with a view to ascertaining whether the requirements of this Act relating to wireless telegraphy are complied with on board any ship.

(2) A wireless telegraphy inspector, for the purpose of reporting with respect to the granting of a safety certificate under this Act, or for the purpose of ascertaining whether the provisions of this Act as to wireless telegraphy installation and wireless telegraphy operators are complied with on board any ship, may go on board any ship at all reasonable times, and do all things necessary for the proper inspection of the installation on the ship, and may also require the master of the ship to supply him with any information which it is in the power of the master to supply with respect to the provision on the ship of operators or watchers, and require the production of any certificate granted under this Act in respect of the installation, and of the certificates of the operators and watchers on the ship.

(3) If the master of the ship refuses or fails to supply information in accordance with this section, he shall be liable to a fine not exceeding twenty pounds, and if any person impedes any such inspector in the performance of his duties under this Act, or having the custody of a certificate the production of which may be required under this section fails to produce it when the production is so required, that person shall be liable to a fine not exceeding twenty pounds.

Effect of safety certificate.

21. Where a safety certificate has been granted in respect of a ship and is in force, any of the provisions of this Act or the rules made thereunder relating to the manning, construction or equipment of the ship, or the provision of wireless telegraphy and wireless telegraphy operators and watchers on the ship, which are applicable to the ship, shall be deemed to have been complied with unless it appears that the ship cannot proceed to sea without danger to the passengers or crew, owing to the fact that the actual condition of the ship does not correspond in substantial particulars with the certificate.

Relation of safety certificate to passenger steamer certificate.

22.—(1) The report of a surveyor for the purposes of a safety certificate under this Act shall, as to the matters contained therein, have the same effect for the purpose of the passenger steamer's certificate as the declaration of a surveyor under section two hundred and seventy-two of the principal Act, and shall contain not only the particulars required for a safety certificate, but also in the case of a passenger steamer requiring a passenger steamer's certificate, any particulars required for the purpose of a passenger steamer's certificate.

(2) Where a ship has a safety certificate, the passenger steamer's certificate need only state matters which are required to be stated in the passenger steamer's certificate, but not required to be stated in the safety certificate.

(3) An emigrant ship in respect of which a safety certificate is in force shall be exempted from section two hundred and eighty-nine of the principal Act in the same manner as an emigrant ship in respect of which a passenger steamer's certificate is in force.

PART V.

Application of Act to Foreign Ships and to British Ships not registered in the United Kingdom.

Application of Act to foreign ships and ships not registered in the United Kingdom.

23.—(1) Compliance with the provisions of Parts II. and III. relating to the manning, construction, or equipment of passenger steamers or relating to the provision of wireless telegraphy and wireless telegraph operators and watchers on a ship, and representing provisions of the Convention of this Act, shall be required in the case of a foreign ship or a British ship not registered in the United Kingdom which comes into or proceeds to sea from a port in the United Kingdom, in the same manner as compliance with those provisions would be required if the ship were registered in the United Kingdom, and the provisions of this Act shall apply to such a ship accordingly.

(2) A safety certificate granted by or under the authority of the Government of the country to which a foreign ship or a British ship not registered in the United Kingdom belongs and recognised by the Board of Trade as granted in accordance with and for the purposes of the Convention, shall have the same effect as regards that ship as a safety certificate granted under this Act has as respects a ship registered in the United Kingdom.

(3) A foreign ship, and a British ship not registered in the United Kingdom, coming into or proceeding to sea from a port in the United Kingdom—

(*a*) shall, if entitled to a total or partial exemption from the provisions of the Convention under a certificate of exemption recognised by the Board of Trade as granted in accordance with and for the purposes of the Convention, be exempted to the same extent from the corresponding provisions of this Act; and

(*b*) shall, if on a voyage on which a British ship registered in the United Kingdom would be entitled to a total or partial exemption from the provisions of Parts II., III., or IV. of this Act, be exempted to the same extent as a British ship registered in the United Kingdom would be exempted.

Application of Act to British possessions.

24. Any provisions of this Act, and of any rules made thereunder, which apply to the United Kingdom or to ships registered in the United Kingdom or to ports in the United Kingdom, shall apply to all British possessions other than those mentioned in the Fifth Schedule to this Act and to ships registered in those possessions and to ports in those possessions as they apply to the United Kingdom, to ships registered in the United Kingdom, and to ports of the United Kingdom: Provided that—

(*a*) His Majesty may, by Order in Council, except any British possession from the operation of the foregoing

provision, if he thinks fit, having regard to the special circumstances of the possession, and may revoke any such order; and

(*b*) His Majesty may, by Order in Council, if satisfied that the legislature of any British possession to which this section applies have by Act or Ordinance made proper provision for carrying out the Convention as respects that possession, direct that the foregoing provision shall cease to apply to that possession; and

(*c*) such adaptations of the provisions of this Act and any rules thereunder may be made by Order in Council as may appear necessary to make those provisions or rules applicable in the British possession to which they apply by virtue of the foregoing provision; and

(*d*) the Secretary of State may postpone the operation of the foregoing provision as respects any possession until any date not later than the first day of July, nineteen hundred and fifteen, if he is satisfied that it is expedient to do so, having regard to the special circumstances of the possession.

Application to British protectorates, &c.

25.—(1) His Majesty may by Order in Council direct that this Act shall apply to any British protectorate and to the Island of Cyprus in the same manner as it applies to British possessions other than those mentioned in the Fifth Schedule to this Act.

(2) His Majesty may by Order in Council direct that any provisions of this Act and of any rules made thereunder shall apply to ships registered in any port of registry outside His Majesty's dominions as they apply to ships registered in the United Kingdom, subject to any adaptations which may be made by Order in Council for the purpose of making these provisions applicable to ships registered in that port.

Part VI.

General.

Exception for ships compelled to take refuge by stress of weather, &c.

26. Nothing in this Act shall subject any ship which, not being bound to a port in the United Kingdom, has been compelled to take refuge in such a port by stress of weather or force majeure to any provisions of this Act from which the ship would have been exempt in the ordinary course of the ship's voyage.

Rules to be laid before Parliament.

27.—(1) Any rules made for the purposes of this Act, and all rules made under section four hundred and twenty-seven of the Merchant Shipping Act, 1894, after the commencement of this Act, for any purpose, shall be laid before each House of Parliament as soon as may be after they are made; and if an address is presented to His Majesty by either House of Parliament within the next subsequent forty days on which that

House has sat next after any such rules were laid before it, praying that the rules be annulled, the rules shall forthwith be void, but without prejudice to the validity of anything previously done thereunder or to the making of any new rule.

(2) Before making any such rules the Board of Trade shall give public notice of the draft of the proposed rules in such manner as they think best fitted for giving information to those concerned, and giving those concerned an opportunity of making representations to the Board with respect to the rules.

(3) Subsection (2) of section four hundred and twenty-seven of the Merchant Shipping Act, 1894, is hereby repealed.

Interpretation.

28. For the purposes of this Act, unless the context otherwise requires:—

The time of the commencement of the construction of a ship shall be deemed to be the time at which the keel of the ship is laid; and similar expressions shall be construed accordingly; and

The country to which ships registered in a British possession belong shall be deemed to be the British possession in which they are registered.

Construction, short title, and commencement.

29.—(1) Any provision of this Act shall, unless the context otherwise requires, be in addition to, and not in derogation of, any provision of the Merchant Shipping Acts or any other enactment relating to the same or similar matters.

(2) Any reference in this Act to any provision of the Merchant Shipping Acts, 1894 to 1913, which has been amended by any subsequent Act, or is amended by this Act, shall be construed as a reference to the provision as so amended.

(3) In this Act the expression "the principal Act" means the Merchant Shipping Act, 1894, and the expression "the Merchant Shipping Acts" means the Merchant Shipping Acts, 1894 to 1913, and this Act.

(4) This Act may be cited as the Merchant Shipping (Convention) Act, 1914, and shall be construed as one with the principal Act, and the Merchant Shipping Acts, 1894 to 1913, and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1914.

(5) This Act shall come into operation on the first day of July nineteen hundred and fifteen:

Provided that His Majesty may by Order in Council from time to time postpone the coming into operation of this Act for such period not exceeding on any occasion of postponement one year as may be specified in the Order.

SCHEDULES.

FIRST SCHEDULE.

INTERNATIONAL CONVENTION ON SAFETY OF LIFE AT SEA.

CONVENTION.

PREAMBLE.

His Majesty the German Emperor, King of Prussia, in the name of the German Empire; H.M. the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary; H.M. the King of the Belgians; H.M. the King of Denmark; H.M. the King of Spain; the President of the United States of America; the President of the French Republic; H.M. the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; H.M. the King of Italy; H.M. the King of Norway; H.M. the Queen of the Netherlands; H.M. the Emperor of all the Russias; H.M. the King of Sweden;

Having recognised the desirability of determining by common agreement certain uniform rules with respect to the safety of life at sea, have decided to conclude a Convention to that end, and have appointed as their plenipotentiaries, that is to say:—

H.M. the EMPEROR OF GERMANY, KING OF PRUSSIA, in the name of the German Empire:—

His Excellency Dr. Von Koerner, Wirklicher Geheimer Rat, Director of the Commercial Section of the Imperial Foreign Office;

Dr. Seeliger, Geheimer Legationsrat und vortragender Rat, at the Imperial Foreign Office;

M. Schütt, Geheimer Regierungsrat und vortragender Rat, at the Imperial Ministry of the Interior;

Dr. Riess, Geheimer Regierungsrat, Member of the Imperial Insurance Office;

Professor Pagel, Director of the Germanischer Lloyd Classification Society;

M. Schrader, Geheimer Ober Postrat und vortragender Rat, at the Imperial Post Office;

Rear-Admiral Behm (retired), Director of the Deutsche Seewarte.

H.M. the EMPEROR OF AUSTRIA, KING OF BOHEMIA, &c., and APOSTOLIC KING OF HUNGARY:—

Baron Georges de Franckenstein, Councillor of Legation, Commercial Director of the Austro-Hungarian Embassy at London;

M. Paul Schreckenthal, Doctor of Law, Secretary in the Austrian Ministry of Commerce;

M. Ladislaus Dunay, Sektionsrat at the Royal Hungarian Maritime Administration at Fiume.

H.M. the KING OF THE BELGIANS:—

M. E. A. Pierrard, Director General of Marine at the Ministry of the Marine, Posts, and Telegraphs;

M. Ch. Le Jeune, President of the International Maritime Committee;

M. L. Franck, Advocate, Member of the Chamber of Representatives, Vice-President of the International Maritime Committee.

H.M. the King of Denmark :—
M. A. H. M. Rasmussen, Director of Instruction of State Engineers ;
M. Emil Krogh, Head of Department at the Ministry of Commerce and Navigation ;
M. Höst, Director of the United Steam Ship Company, Ltd. ;
M. V. Topsø-Jensen, Assistant Head of Department and Secretary at the Ministry of Justice.

H.M. the King of Spain :—
Captain Don Rafael Bausá, Chief of the Spanish Naval Commission in London.

The President of the United States of America :—
Mr. J. W. Alexander, Member of the House of Representatives ;
Mr. T. E. Burton, Member of the Senate ;
Mr. J. Hamilton Lewis, Member of the Senate ;
Mr. E. T. Chamberlain, Commissioner of Navigation ;
Captain-Commandant E. P. Bertholf, of the Revenue Cutter Service ;
Rear-Admiral Washington L. Capps, of the Naval Constructors ;
Captain George F. Cooper, Naval Hydrographer ;
Mr. Homer L. Ferguson, Managing Director of the Newport News Ship Building and Dry Dock Company ;
Mr. Alfred Gilbert Smith, Vice-President of the New York and Cuba Mail Steamship Company ;
Captain W. H. G. Bullard, Superintendent of the Naval Wireless Telegraphy Service ;
Mr. George Uhler, Inspector General of Steamships.

The President of the French Republic :—
M. Guernier, Professor of Political Economy at the University of Lille, Member of the Chamber of Deputies, Vice-President of the Marine Committee of the Chamber of Deputies, Vice-President of the Council of Maritime Navigation.

H.M. the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India :—
Lord Mersey, late President of the Admiralty Division of the High Court, and President of the Court of Enquiry on the loss of the steamship "Titanic" ;
Mr. E. G. Moggridge, Assistant Secretary of the Board of Trade for the Marine Department ;
Sir Archibald Denny, Bart., Chairman of the Departmental Committee on Bulkheads and Watertight Compartments ;
Sir Norman Hill, Chairman of the Merchant Shipping Advisory Committee ;
Sir John Biles, late Chairman of the Departmental Committee on Boats and Davits ;
Captain Acton Blake, Deputy Master of Trinity House ;
Captain A. H. F. Young, Professional Officer to the Marine Department of the Board of Trade ;
Mr. C. Hipwood, of the Marine Department of the Board of Trade ;
Mr. W. D. Archer, Principal Ship Surveyor to the Board of Trade.

For Australia :—
Captain R. Muirhead Collins, Official Secretary of the Australian Commonwealth in London.

For Canada:—
Mr. Alexander Johnston, Deputy Minister of Marine and Fisheries.

For New Zealand:—
Mr. Thomas Mackenzie, High Commissioner of the Government of New Zealand in London.

H.M. the King of Italy:—
M. Carlo Bruno, Director-General of the Mercantile Marine at the Ministry of Marine;
Major-General Vittorio Ripa di Meana, of the Naval Constructors;
M. Gustavo Tosti, Doctor of Law, Consul-General.

H.M. the King of Norway:—
M. Harald Pedersen, Director of the Mercantile Marine Office;
Dr. Johannes Bruhn, Director of the "Norske Veritas" Classification Society;
M. Jens Evang, Secretary in the Foreign Office.

H.M. the Queen of the Netherlands:—
M. J. V. Wierdsma, Chairman of the Committee of Directors of the Holland/America Company;
M. H. S. J. Maas, Consul-General for the Netherlands in London;
M. A. D. Muller, Inspector-General of Navigation;
M. J. Wilmink, Director of the Royal Hollandsche Lloyd;
M. J. W. G. Coops, Head of Department at the Ministry of Agriculture, Industry, and Commerce.

H.M. the Emperor of all the Russias:—
M. N. de Etter, Councillor of the Russian Embassy in London.

H.M. the King of Sweden:—
Vice-Admiral Olsen, late President General of the Naval Services;
M. N. G. Nilsson, Inspector of Life-Saving Appliances at the Ministry of Commerce.

Who, having been duly authorised to that effect, have drawn up by common consent the following Convention:—

Chapter I.—Safety of Life at Sea.

Article 1.

The High Contracting Parties undertake to give effect to the provisions of this Convention, for the purpose of securing safety of life at sea, to promulgate all regulations and to take all steps which may be necessary to give the Convention full and complete effect.

The provisions of this Convention are completed by Regulations which have the same force and take effect at the same time as the Convention. Every reference to the Convention implies at the same time a reference to the Regulations annexed thereto.

Chapter II.—Ships to which this Convention applies.

Article 2.

Except where otherwise provided by this Convention, the merchant ships of any of the States of the High Contracting Parties, which are mechanically propelled, which carry more than 12 passengers and which proceed from a port of one of the said States to a port situated outside that State, or conversely, are subject to the provisions of this Convention.

Ports situated in the Colonies, Possessions or Protectorates of the High Contracting Parties are considered to be ports outside the States of the High Contracting Parties.

Persons who are on board by reason of *force majeure* or in consequence of the obligation laid upon the master to carry shipwrecked or other persons are not deemed to be passengers.

Article 3.

There are excepted from this Convention, save in the cases where the Convention otherwise provides, ships making voyages specified in a schedule to be communicated by each High Contracting Party to the British Government at the time of ratifying the Convention.

No schedule may include voyages in the course of which the ships go more than 200 sea miles from the nearest coast.

Each High Contracting Party has the right subsequently to modify its schedule of voyages in conformity with this Article on condition that it notifies the British Government of such modification.

Each High Contracting Party has the right to claim from another Contracting Party the benefit of the privileges of the Convention for all of its ships which are engaged in any one of the voyages mentioned in its own schedule. For this purpose the Party claiming such benefit shall impose on the said ships the obligations prescribed by the Convention in so far as, having regard to the nature of the voyage, these obligations would not be unnecessary or unreasonable.

Article 4.

No ship, not subject to the provisions of the Convention at the time of its departure, can be subjected to the Convention in the course of its voyage, if stress of weather or any other cause of *force majeure* compels it to take refuge in a port of one of the States of the High Contracting Parties.

CHAPTER III.—SAFETY OF NAVIGATION.

Article 5.

When the expression "every ship" is used in this Chapter and in the corresponding part of the annexed Regulations, it includes all merchant ships, whether they are the ships defined in Article 2 or not, which belong to any of the Contracting States.

Article 6.

The High Contracting Parties undertake to take all steps to ensure the destruction of derelicts in the northern part of the Atlantic Ocean east of a line drawn from Cape Sable to a point situated in latitude 34° north and longitude 70° west. Further, they will establish in the North Atlantic with the least possible delay a service for the study and observation of ice conditions and a service of ice patrol. For this purpose :—

Two vessels shall be charged with these three services.

During the whole of the ice season, they shall be employed in ice patrol.

During the rest of the year the two vessels shall be employed in the study and observation of ice conditions and in the destruction of derelicts ;

nevertheless the study and observation of ice conditions shall be effectively maintained, in particular from the beginning of February to the opening of the ice season.

While the two vessels are employed in ice patrol the High Contracting Parties, to the extent of their ability and so far as the exigencies of the Naval Service will permit, will send warships or other vessels to destroy any dangerous derelicts, if this destruction is considered necessary at that time.

Article 7.

The Government of the United States is invited to undertake the management of the three services of derelict destruction, study and observation of ice conditions, and ice patrol. The High Contracting Parties which are specially interested in these services, and whose names are given below, undertake to contribute to the expense of establishing and working the said services in the following proportions :—

	Per cent.
Austria-Hungary	2
Belgium	4
Canada	2
Denmark	2
France	15
Germany	15
Great Britain	30
Italy	4
Netherlands	4
Norway	3
Russia	2
Sweden	2
United States of America	15

Each of the High Contracting Parties has the right to discontinue its contribution to the expense of working these services after the 1st September, 1916. Nevertheless, the High Contracting Party which avails itself of this right will continue responsible for the expenses of working up to the 1st September following the date of denunciation of the Convention on this particular point. To take advantage of the said right, it must give notice to the other Contracting Parties at least six months before the said 1st September; so that, to be free from its obligations on the 1st September, 1916, it must give notice on the 1st March, 1916, at the latest, and similarly for each subsequent year.

In case the United States Government should not accept the proposal made to them, or in case one of the High Contracting Parties, for any reason, should not assume responsibility for the pecuniary contribution defined above, the High Contracting Parties shall settle the question in accordance with their mutual interests.

The Government of the High Contracting Party which undertakes the management of the service of derelict destruction is invited to devise means of granting, at the expense of this service, to merchant ships, which have contributed in an effective manner to the destruction of ocean derelicts, rewards to be fixed by the Government in accordance with the services rendered.

The High Contracting Parties which contribute to the cost of the three above-mentioned services shall have the right by common consent to make from time to time such alterations in the provisions of this Article and of Article 6 as appear desirable.

Article 8.

The master of every ship which meets with dangerous ice or a dangerous derelict is bound to communicate the information by all the means of communication at his disposal to the ships in the vicinity, and also to the competent authorities at the first point of the coast with which he can communicate.

Every Administration which receives intelligence of dangerous ice or a dangerous derelict shall take all steps which it thinks necessary for bringing the information to the knowledge of those concerned and for communicating it to the other Administrations.

The transmission of messages respecting ice and derelicts is free of cost to the ships concerned.

It is desirable that the said information should be sent in a uniform manner. For this purpose, a code, the use of which is optional, appears in Article I. of the Regulations annexed hereto.

Article 9.

The master of every ship fitted with a radio-telegraph installation, on becoming aware of the existence of an imminent and serious danger to navigation, shall report it immediately in the manner prescribed by Article II. of the Regulations annexed hereto.

Article 10.

When ice is reported on, or near, his course, the master of every ship is bound to proceed at night at a moderate speed, or to alter his course so as to go well clear of the danger zone.

Article 11.

The ships defined by Article 2 shall have on board a Morse signalling lamp of sufficient range.

The use of Morse signals is regulated by the Code appearing in Article III., as well as by Article IV. of the Regulations annexed hereto.

Article 12.

The use of the international distress signals for any other purpose than that of signals of distress is prohibited on every ship.

The use of private signals which are liable to be confused with the international distress signals is prohibited on every ship.

Article 13.

The selection of the routes across the North Atlantic in both directions is left to the responsibility of the steamship companies. Nevertheless, the High Contracting Parties undertake to impose on these companies the obligation to give public notice of the regular routes which they propose their vessels should follow, and of any changes which they make in them.

The High Contracting Parties undertake, further, to use their influence to induce the owners of all vessels crossing the Atlantic to follow as far as possible the routes adopted by the principal companies.

Article 14.

The High Contracting Parties undertake to use all diligence to obtain from the Governments which are not parties to this Convention their

agreement to the revision of the International Regulations for Preventing Collisions at Sea as indicated below :—

(*A*) The Regulations shall be completed or revised in regard to the following points :—

(1) The second white light.
(2) The stern light.
(3) A day signal for motor vessels.
(4) A sound signal for a vessel towed.
(5) The prohibition of signals similar to distress signals.

(*B*) Articles 2, 10, 14, 15, 31 of the said Regulations shall be amended in accordance with the following provisions :—

Article 2. The second white mast-head light to be compulsory.

Article 10. A permanent fixed stern light to be compulsory.

Article 14. A special day signal to be compulsory for motor vessels.

Article 15. A special sound signal to be established for use by a vessel in tow, or if the tow is composed of several vessels by the last vessel of the tow.

Article 31. Article 31 to be modified in the following manner :—Add to the lists of both day and night signals the international radio telegraph distress signal.

Article 15.

The Governments of the High Contracting Parties undertake to maintain, or, if it is necessary, to adopt, measures for the purpose of ensuring that, from the point of view of safety of life at sea, the ships defined in Article 2 shall be sufficiently and efficiently manned.

Chapter IV.—Construction.

Article 16.

New Ships and existing Ships.

For the application of the Articles contained in this Chapter and in the corresponding part of the Regulations annexed hereto, the ships defined in Article 2 are divided into "new ships" and "existing ships."

New ships are those the keel of which is laid after the 1st July 1915. The following Articles of this Chapter, namely, Articles 17 to 30, are applicable to them in full.

Other ships are considered as existing ships. Existing arrangements on each of these ships shall be considered by the Administration of the State to which the ship belongs, with a view to improvements providing increased safety where practicable and reasonable.

Article 17.

Subdivision of Ships.

Ships shall be as efficiently subdivided as is possible having regard to the nature of the service for which they are intended. The minimum requirements respecting subdivision and arrangements affecting subdivision are given in the following Articles and in the Regulations annexed to this Convention.

The degree of safety provided for by these minimum requirements varies in a regular and continuous manner with the length of the vessel

and with a certain "criterion of service." The requirements of the annexed Regulations are such that the highest degree of safety corresponds with the ships of greatest length primarily engaged in the carriage of passengers.

Articles V. to IX. of the annexed Regulations indicate the method to be followed in order to determine the permissible length of compartments on the basis of the floodable length; prescribe a limit to the length of compartments; and fix the conditions governing certain special cases.

When the watertight subdivision of a ship is such as to provide for a degree of safety greater than that provided by the rules prescribed by this Convention, the Administration of the State to which the ship belongs shall, if so requested by the owner, record this fact on the Safety Certificate of the ship to the extent and in the manner provided in Article X. of the annexed Regulations.

Article 18.

Peak and Machinery Space Bulkheads.

Ships shall be fitted with forward and after peak bulkheads and bulkheads at the extremities of the machinery space in accordance with the provisions of Article XI. of the annexed Regulations.

Article 19.

Fireproof Bulkheads.

With a view to retarding the spread of fire, ships shall be fitted with fireproof bulkheads in accordance with the provisions of Article XII. of the annexed Regulations.

Article 20.

Exits from Watertight Compartments.

The conditions under which means of escape from the various watertight compartments shall be provided are indicated in Article XIII. of the annexed Regulations.

Article 21.

Construction and Tests of Watertight Bulkheads.

In order to ensure their strength and watertightness, watertight bulkheads shall be constructed and tested in accordance with the provisions of Article XIV. of the annexed Regulations.

Article 22.

Openings in Watertight Bulkheads.

The number of openings in watertight bulkheads shall be reduced to the minimum compatible with the design and proper working of the ship; satisfactory means shall be provided for closing these openings. Articles XV. and XVII. of the annexed Regulations indicate the conditions governing the number of openings, the character and use of the means of closing with which these openings shall be provided, and the tests to which watertight doors shall be subjected.

Article 23.

Openings in Ship's Side.

Side-scuttles and other openings in the side of the ship and the inboard openings of discharges through the shell shall be provided with means of closing them, and shall be arranged in such manner as to prevent so far as possible the accidental admission of water into the ship. Articles XVI. and XVII. of the annexed Regulations indicate the conditions under which openings may be made in the ship's side, the appliances which shall be provided for closing these openings, and the requirements as to operating the closing appliances.

Article 24.

Construction and Tests of Watertight Decks, &c.

In order to ensure their strength and watertightness, watertight decks, trunks and ventilators shall be constructed and tested in accordance with the provisions of Article XVIII. of the annexed Regulations.

Article 25.

Periodical Operation and Inspection of Watertight Doors, &c.

The conditions under which inspections of watertight doors, &c., and drills for their operation, shall be made periodically during a voyage are indicated in Article XIX. of the annexed Regulations.

Article 26.

Entries in the Official Log Book.

A record of the closing and opening of watertight doors, &c., and of all inspections and drills, shall be entered in the official log book as required by Article XX. of the annexed Regulations.

Article 27.

Double Bottoms.

The conditions under which a double bottom shall be fitted in ships of different lengths, and in particular the minimum extent of the double bottom longitudinally and transversely, are indicated in Article XXI. of the annexed Regulations.

Article 28.

Going astern and auxiliary steering Apparatus.

Ships shall comply, as regards their power of going astern and the fitting of auxiliary steering apparatus, with the provisions of Articles XXII. and XXIII. of the annexed Regulations.

Article 29.

Initial and Subsequent Surveys of Ships.

The general principles which shall govern the survey of the ships defined in Article 2, whether new ships or existing ships, as regards hull, main and auxiliary boilers and machinery, and equipments, are stated in

Articles XXIV. to XXVI. of the annexed Regulations. The Government of each of the High Contracting Parties undertakes :—

(1) to draw up detailed regulations in accordance with these general principles, or to bring its existing regulations into agreement with these principles ;

(2) to communicate these regulations to each of the other contracting States ; and

(3) to secure that these regulations shall be enforced.

The detailed regulations referred to in the preceding paragraph shall be in all respects such as to secure that, from the point of view of safety of life, the ship is fit for the service for which it is intended.

Article 30.

Questions for further Study and Agreement—Exchange of Information.

The High Contracting Parties undertake to cause the study of the criterion of service referred to in Article 17 to be pressed forward, and to communicate to each other the results of that study.

The British Government is invited to undertake the duty of circulating this information, and, as soon as a definite result is attainable, of endeavouring to secure, through the diplomatic channel, the acceptance by the contracting States of the criterion. Upon its acceptance by each of the contracting States, as from a date and subject to conditions to be agreed upon, such criterion shall have effect as if it were prescribed in the Convention.

The above procedure shall also be applied to the following items :—

(1) The fitting of longitudinal watertight bulkheads, double skins and watertight decks and flats, and the question whether there may be allowed any increase in the length of transverse watertight compartments in way of which such longitudinal subdivision is fitted, and, if so, to what extent ;

(2) The method of subdivision for obtaining the highest practicable degree of safety to be applied to ships of shorter lengths than those covered by Article VIII. of the annexed Regulations ; and

(3) The results of experiments in regard to the proper margin of resistance above the pressure which watertight bulkheads are required to be capable of supporting, as referred to in Article XIV. of the annexed Regulations.

The contracting States undertake to exchange information as freely as possible in regard to the application of the rules of this Convention in matters relating to safety of construction. They shall communicate to each other the methods or rules which they adopt, information concerning any new fittings or appliances which they sanction, the decisions which they make in regard to points of principle not covered by the foregoing articles and the corresponding portion of the annexed Regulations, and the final results of their further studies in matters not definitely determined.

CHAPTER V.—RADIOTELEGRAPHY.

Article 31.

All merchant ships belonging to any of the Contracting States, whether they are propelled by machinery or by sails, and whether they carry passengers or not, shall, when engaged on the voyages specified in

Article 2, be fitted with a radiotelegraph installation, if they have on board fifty or more persons in all.

Advantage may not be taken of the provisions of Articles 2 and 3 of this Convention to exempt a ship from the requirements of this Chapter.

Article 32.

Ships on which the number of persons on board is exceptionally and temporarily increased up to or beyond fifty as the result of *force majeure*, or because the master is under the necessity of increasing the number of his crew to fill the places of those who are ill, or is obliged to carry shipwrecked or other persons, are exempted from the above obligation.

Moreover, the Governments of each of the Contracting States, if they consider that the route and the conditions of the voyage are such as to render a radiotelegraph installation unreasonable or unnecessary, may exempt from the above requirement the following ships :—

(1) Ships which in the course of their voyage do not go more than 150 sea miles from the nearest coast ;

(2) Ships on which the number of persons on board is exceptionally or temporarily increased up to or beyond fifty by the carriage of cargo hands for a part of the voyage, provided that the said ships are not going from one continent to another, and that, during that part of their voyage, they remain within the limits of latitude 30° N. and 30° S. ;

(3) Sailing vessels of primitive build, such as *dhows*, *junks*, &c., if it is practically impossible to instal a radiotelegraph apparatus.

Article 33.

Ships which, in accordance with Article 31 above, are required to be fitted with a radiotelegraph installation are divided, for the purpose of radiotelegraph service, into three classes, in accordance with the classification established for ship stations in Article XIII. (*b*) of the Regulations annexed to the Radiotelegraph Convention, signed in London on the 5th July, 1912, viz. :—

First Class.—Ships having a continuous service.

There shall be placed in the First Class ships which are intended to carry twenty-five or more passengers :—

(1) If they have an average speed in service of fifteen knots or more ;

(2) If they have average speed in service of more than thirteen knots, but only subject to the twofold condition that they have on board two hundred persons or more (passengers and crew), and that, in the course of their voyage, they go a distance of more than five hundred sea miles between any two consecutive ports. Nevertheless these ships may be placed in the Second Class on condition that they have a continuous watch.

Second Class.—Ships having a service of limited duration.

There shall be placed in the Second Class all ships which are intended to carry twenty-five or more passengers, if they are not, for other reasons, placed in the First Class.

Ships placed in the Second Class must, during navigation, maintain a continuous watch for at least seven hours a day, and a watch of ten minutes at the beginning of every other hour.

Third Class.—Ships which have no fixed periods of service.

All ships which are placed neither in the First nor in the Second Class shall be placed in the Third Class.

The owner of a ship placed in the Second or in the Third Class has the right to require that, if the ship complies with all the requirements for a superior class, a statement to the effect that it belongs to that superior class shall be inserted in the Safety Certificate.

Article 34.

Ships which are required by Article 31 above to be fitted with a radiotelegraph installation shall be required, by the Governments of the countries to which they belong, to maintain a continuous watch during navigation as soon as the said Governments consider that it will be of service for the purpose of safety of life at sea.

Meanwhile, the High Contracting Parties undertake to require, from the date of the ratification of the present Convention subject to the delays specified below, a continuous watch on the following ships :—

(1) Ships whose average speed in service exceeds 13 knots, which have on board 200 persons or more, and which, in the course of their voyage, go a distance of more than 500 sea miles between two consecutive ports, when these ships are placed in the Second Class.

(2) Ships in the Second Class, for the whole of the time during which they are more than 500 sea miles from the nearest coast.

(3) Other ships specified in Article 31, when they are engaged in the Trans-Atlantic trade, or when they are engaged in other trades if their route takes them more than 1,000 sea miles from the nearest coast.

Ships connected with all kinds of fishing business, including whaling, which are required to be fitted with a radiotelegraph installation, shall not be required to maintain a continuous watch.

The continuous watch may be kept by one or more operators, holding certificates in accordance with Article X. of the Regulations annexed to the International Radiotelegraph Convention, 1912, together, if necessary, with one or more certificated watchers. Nevertheless, if an efficient automatic calling apparatus is invented, the continuous watch may be maintained by this means by agreement between the Governments of the High Contracting Parties.

By "certificated watcher" is meant any person holding a certificate issued under the authority of the Administration concerned. To obtain this certificate the applicant must prove that he is capable of receiving and understanding the radiotelegraph distress signal and the safety signal described in the Regulations annexed hereto.

The High Contracting Parties undertake to take steps to ensure that the certificated watchers observe the secrecy of correspondence.

Article 35.

The radiotelegraph installations required by Article 31 above shall be capable of transmitting clearly perceptible signals from ship to ship over a range of at least 100 sea miles by day under normal conditions and circumstances.

Every ship which is required, in conformity with the provisions of Article 31 above, to be fitted with a radiotelegraph installation, shall, whatever be the class in which it is placed, be provided in accordance with Article XI. of the Regulations annexed to the International Radiotelegraph Convention, 1912, with an emergency installation, every part of which is placed in a position of the greatest possible safety to be determined by the Government of the country to which the ship belongs.

In all cases the emergency installation must be placed, in its entirety, in the upper part of the ship, as high as practically possible.

The emergency installation includes, as provided by Article XI. of the Regulations annexed to the International Radiotelegraph Convention, 1912, an independent source of energy capable of being put into operation rapidly and of working for at least six hours with a minimum range of eighty sea miles for ships in the First Class and fifty sea miles for ships in the two other Classes.

If the normal installation, which, in accordance with this Article, has a range of at least one hundred sea miles, satisfies all the conditions prescribed above, an emergency installation is not required.

The licence provided for in Article IX. of the Regulations annexed to the International Radiotelegraph Convention, 1912, may not be issued unless the installation complies both with the provisions of that Convention, and also with the provisions of this Convention.

Article 36.

The matters governed by the International Radiotelegraph Convention, 1912, and the Regulations annexed thereto, and in particular the radiotelegraph installations on ships, the transmission of messages, and the certificates of the operators, remain and will continue subject to the provisions :

(1) of that Convention and the Regulations annexed thereto, or of any other instruments which may in the future be substituted therefor,

(2) of this Convention, in regard to all the points in which it supplements the aforementioned documents.

Article 37.

Every master of a ship, who receives a call for assistance from a vessel in distress is bound to proceed to the assistance of the persons in distress.

Every master of a vessel in distress has the right to requisition from among the ships which answer his call for assistance the ship or ships which he considers best able to render him assistance, but he must exercise this right only after consultation, so far as may be possible, with the masters of those ships. Such ships are then bound to comply immediately with the requisition by proceeding with all speed to the assistance of the persons in distress.

The masters of the ships which are required to render assistance are released from this obligation as soon as the master or masters requisitioned have made known that they will comply with the requisition, or as soon as the master of one of the ships which has reached the scene of the casualty has made known to them that their assistance is no longer necessary.

If the master of a ship is unable, or considers it unreasonable or unnecessary, in the special circumstances of the case, to go to the

assistance of the vessel in distress, he must immediately inform the master of the vessel in distress accordingly. Moreover he must enter in his logbook the reasons justifying his action.

The above provisions do not prejudice the International Convention for the unification of certain rules with respect to Assistance and Salvage at Sea, signed at Brussels on the 23rd September, 1910, and, in particular, the obligation to render assistance laid down in Article 11 of that Convention.

Article 38.

The High Contracting Parties undertake to take all steps necessary for giving effect to the provisions of this Chapter with the least possible delay. Nevertheless, they may allow :

A delay not exceeding one year, from the date of the ratification of this Convention, for the provision and training of operators and for the installation of the apparatus on ships placed in the First and Second Classes.

A delay not exceeding two years, from the date of the ratification of this Convention, for the provision and training of the operators and watchers on the ships in the Third Class, for the installation of the apparatus on ships in the Third Class and for the establishment of a continuous watch on ships placed in the Second and Third Classes.

CHAPTER VI.—LIFE-SAVING APPLIANCES AND FIRE PROTECTION.

Article 39.

New Ships and existing Ships.

For the application of the Articles contained in this Chapter and of the corresponding part of the Regulations annexed hereto the ships defined in Article 2 are divided into *new ships* and *existing ships*.

New ships are those of which the keel is laid after the 31st December, 1914.

Other ships are considered as *existing ships*.

Article 40.

Fundamental Principle.

At no moment of its voyage may a ship have on board a total number of persons greater than that for whom accommodation is provided in the lifeboats and the pontoon life-rafts on board.

The number and arrangement of the boats, and (where they are allowed) of the pontoon rafts, on a ship depends upon the total number of persons which the ship is intended to carry ; provided that there shall not be required on any voyage a total capacity in boats, and (where they are allowed) pontoon rafts, greater than that necessary to accommodate all the persons on board.

Article 41.

Standard types of Boats—Pontoon Rafts.

All the lifeboats allowed for a ship shall comply with the conditions fixed by this Convention and Articles XXVII. to XXXII. of the Regulations annexed hereto ; the same Articles describe the standard types, which are divided into two classes.

The conditions required for the pontoon rafts are given in Article XXXIII. of the same Regulations.

Article 42.

Strength of Boats.

Each boat must be of sufficient strength to enable it to be safely lowered into the water when loaded with its full complement of persons and equipment.

Article 43.

Alternative Types of Boats and Rafts.

Any type of boat may be accepted as equivalent to a boat of one of the prescribed classes and any type of raft as equivalent to an approved pontoon-raft, if the Administrations concerned are satisfied by suitable trials that it is as effective as the standard types of the class in question, or as the approved type of pontoon raft, as the case may be.

The Government of the High Contracting Party which accepts a new type of boat or raft will communicate to the Governments of the other Contracting Parties particulars of the trials made. It will also inform them of the class in which a new type of boat has been placed.

Article 44.

Embarkation of the Passengers in the Boats and Rafts.

Suitable arrangements shall be made for embarking the passengers in the boats.

In ships which carry rafts there shall be a number of rope ladders always available for use in embarking the persons on to the rafts.

Article 45.

Capacity of Boats and Pontoon Rafts.

The number of persons that a boat of one of the standard types or an approved pontoon raft can accommodate is determined by the methods indicated in Articles XXXIV. to XXXIX., inclusive, of the Regulations annexed hereto.

Article 46.

Equipment of Boats and Pontoon Rafts.

Article XL. of the annexed Regulations prescribes the equipment for boats and pontoon rafts. All loose equipment must be securely attached to the boat or pontoon raft to which it belongs.

Article 47.

Stowage of Boats—Number of Davits.

The arrangements to be made for the stowage of the boats and in particular the extent to which pontoon rafts may be accepted are specified in Articles XLI., XLII., and XLIII. of the annexed Regulations.

The minimum number of sets of davits is fixed in relation to the length of the ship; provided that a number of sets of davits greater than the number of boats necessary for the accommodation of all the persons on board may not be required.

Article 48.

Handling of the Boats and Rafts.

All the boats and rafts must be stowed in such a way that they can be launched in the shortest possible time and that, even under unfavourable conditions of list and trim from the point of view of the handling of the boats and rafts, it may be possible to embark in them as large a number of persons as possible.

The arrangements must be such that it may be possible to launch on either side of the ship as large a number of boats and rafts as possible.

Supplementary instructions are given in Article XLIV. of the annexed Regulations.

Article 49.

Strength and Operation of the Davits.

The davits shall be of such strength that the boats can be lowered with their full complement of persons and equipment, the ship being assumed to have a list of 15 degrees.

The davits must be fitted with a gear of sufficient power to ensure that the boat can be turned out against the maximum list under which the lowering of the boats is possible on the vessel in question.

Article 50.

Other Appliances Equivalent to Davits.

Any appliance may be accepted in lieu of davits or sets of davits if the Administration concerned is satisfied, after proper trials, that the appliance in question is as effective as davits for placing the boats in the water.

The Government of the High Contracting Party which accepts a new type of appliance shall communicate to the other Contracting Parties particulars of the appliance with details of the trials made.

Article 51.

Life-jackets and Life-buoys.

(1) A life-jacket of an approved type, or other appliance of equal buoyancy and capable of being fitted on the body, shall be carried for every person on board, and, in addition, a sufficient number of life-jackets, or other equivalent appliances, suitable for children.

(2) Article XLV. of the annexed Regulations fixes in accordance with the length of the ship the number of life-buoys of an approved type to be carried, and also the conditions with which life-jackets and life-buoys must comply, and in accordance with which they must be stowed.

Article 52.

Existing Ships.

The Government of each of the High Contracting Parties undertakes to apply to existing ships, as soon as possible and not later than the 1st July, 1915, all the provisions of the preceding articles of the present Chapter, namely, Articles 40 to 51 inclusive, requiring in the first place,

accommodation for all the persons on board in boats and rafts; provided that, in cases where the strict application of these principles would not be practicable or reasonable, the Government of each of the High Contracting Parties has the right to allow the exemptions specified in Article XLVI. of the Regulations annexed hereto.

Article 53.

Means of Ingress and Egress. Emergency Lighting.

(1) Proper arrangements shall be made for ingress to and egress from the different compartments, decks, &c.

(2) Provision shall be made for an electric or other system of lighting, sufficient for all requirements of safety, in the different parts of both new and existing ships, and particularly upon the decks on which the lifeboats are stowed. On new ships there must be a self-contained source capable of supplying, when necessary, this safety lighting system, and placed in the upper parts of the ship, as high as practically possible.

(3) The exit from every compartment must always be lighted by an emergency lamp, which shall be kept locked, and which shall be independent of the ordinary lighting of the ship. These emergency lamps may be supplied from the independent installation referred to in the preceding paragraph, if an independent circuit is employed for this purpose and if this installation works concurrently with the ordinary lighting of the ship.

Article 54.

Certificated Lifeboatmen.—Manning of the Boats.

There must be, for each boat or raft required, a minimum number of certificated lifeboatmen. The minimum total number of certificated lifeboatmen is determined by the provisions of Article XLVII. of the annexed Regulations.

The allocation of the certificated lifeboatmen to each boat and raft remains within the discretion of the master, according to the circumstances.

By "certificated lifeboatman" is meant any member of the crew who holds a certificate of efficiency issued under the authority of the Administration concerned, in accordance with the conditions laid down in the afore-mentioned Article of the annexed Regulations.

Article XLVIII. of the Regulations deals with the manning of the boats.

Article 55.

Fire Protection.

(1) The carriage, either as cargo or ballast, of goods which by reason of their nature, quantity, or mode of stowage, are, either singly or collectively, likely to endanger the lives of the passengers or the safety of the ship, is forbidden.

This provision does not apply to the ship's distress signals, nor to the carriage of naval or military stores for the public service of the State under authorised conditions.

(2) The Government of each High Contracting Party shall, from time to time by official notice, determine what goods are to be considered dangerous goods, and shall indicate the precautions which must be taken in the packing and stowage thereof.

(3) Article XLIX. of the annexed Regulations indicates the arrangements to be made for the detection and extinction of fire.

Article 56.

Muster Roll and Drills.

Special duties for the event of an emergency shall be allotted to each member of the crew.

The muster list shall show all these special duties, and shall indicate, in particular, the station to which each man must go, and the duties that he has to perform.

Before the vessel sails, the muster list shall be drawn up and exhibited, and the proper authority shall be satisfied that the muster list has been prepared for the ship. It shall be posted in several parts of the ship, and in particular in the crew's quarters.

Articles L. and LI. of the annexed Regulations indicate the conditions under which musters of the crew and drills shall take place.

CHAPTER VII.—SAFETY CERTIFICATES.

Article 57.

A certificate, called a "Safety Certificate," shall be issued, after inspection and survey, to every ship which complies in an efficient manner with the requirements of the Convention.

The inspection and survey of ships, so far as regards the enforcement of the provisions of this Convention and the annexed Regulations, shall be carried out by officers of the State to which the ship belongs; provided always that the Government of each State may entrust the inspection and survey of ships of its own country either to surveyors nominated by it for this purpose or to organisations recognised by it. In every case the Government concerned fully guarantees the completeness and efficiency of the inspection and survey.

The Safety Certificate shall be issued either by the officers of the State to which the ship belongs, or by any other person duly authorised by that State. In either case the State to which the ship belongs assumes full responsibility for the certificate.

Article 58.

The Safety Certificate shall be drawn up in the official language or languages of the State by which it is issued.

The form of the certificate shall be that of the model given in Article LII. of the Regulations annexed hereto. The arrangement of the printed part of this standard certificate shall be exactly reproduced, and the particulars inserted by hand shall be inserted in Roman characters and Arabic figures.

The High Contracting Parties undertake to communicate one to another a sufficient number of specimens of their Safety Certificates for the information of their officers. This exchange shall be made, so far as possible, before the 1st April, 1915.

Article 59.

The Safety Certificate shall not be issued for a period of more than twelve months.

If the ship is not in a port of the State to which it belongs at the time when the period of the validity of the Safety Certificate expires a duly authorised officer of this State may extend this period; but such an

extension shall be granted only for the purpose of allowing the ship to complete its return voyage to its own country, and then only in cases in which it appears proper and reasonable so to do.

The extension cannot have effect for more than five months, and the ship shall not thereby be entitled to leave its own country again without having obtained a new certificate.

Article 60.

The Safety Certificate issued under the authority of a Contracting State shall be accepted by the Governments of the other Contracting States for all purposes covered by this Convention. It shall be regarded by the Governments of the other Contracting States as having the same force as the certificates issued by them to their own ships.

Article 61.

Every ship holding a Safety Certificate issued by the officers of the Contracting State to which it belongs, or by persons duly authorised by that State, is subject in the ports of the other Contracting States to control by officers duly authorised by their Governments in so far as this control is directed towards verifying that there is on board a valid Safety Certificate, and, if necessary, that the conditions of the vessel's seaworthiness correspond substantially with the particulars of that certificate; that is to say, so that the ship can proceed to sea without danger to the passengers and the crew.

Article 62.

The privileges of the Convention may not be claimed in favour of any ship unless it holds a proper valid Safety Certificate.

Article 63.

If, in the course of a particular voyage, the ship has on board a number of passengers less than the maximum number indicated in the Safety Certificate, and is, in consequence, in accordance with the provisions of this Convention free to carry a smaller number of lifeboats and other life-saving appliances than that stated in the afore-mentioned Certificate, a memorandum may be issued by the officers or other authorised persons referred to in Articles 57 (paragraph 3) and 59 above.

This memorandum shall state that in the circumstances there is no infringement of the provisions of the Convention. It shall be annexed to the Safety Certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall be valid only for the particular voyage in regard to which it is issued.

Chapter VIII.—General.

Article 64.

The Governments of the High Contracting Parties undertake to communicate mutually, in addition to the documents which, in this Convention, are the subject of special provisions to that effect, all information which they possess affecting safety of life on those of their ships which are subject to the rules of this Convention, provided always that such information is not of a confidential nature.

They will communicate to each other in particular :—

(1) The text of Laws, Decrees and Regulations which shall have been promulgated on the various matters within the scope of the Convention ;

(2) The description of the characteristics of new appliances approved in administering the rules of the Convention ;

(3) All official reports, or official summaries of reports, in so far as they show the results of the provisions of this Convention.

Until other arrangements may be made, the British Government is invited to serve as intermediary for collecting all this information and for bringing it to the knowledge of the Governments of the Contracting Parties.

Article 65.

The High Contracting Parties undertake to take, or to propose to their respective legislatures, the measures necessary for the repression of infractions of the requirements imposed by this Convention.

The High Contracting Parties will communicate mutually, as soon as possible, the laws and regulations which are issued for this purpose.

Article 66.

The High Contracting Parties which intend the Convention to apply to the whole of their Colonies, Possessions and Protectorates, or to one or to some of these countries, shall declare this intention either at the time of signing these presents or subsequently. To this effect they shall be able either to make a general declaration embracing the whole of their Colonies, Possessions and Protectorates, or to enumerate by name the countries which they intend to come within the scope of the law of the Convention, or, alternatively, to enumerate by name those which they intend to be excepted.

This declaration, unless it be made at the time of signing this Convention, shall be made in writing to the Government of Great Britain, and communicated by the latter Government to all the Governments of the other States parties to the Convention.

The High Contracting Parties may also in the same way, provided that they comply with the provisions of Article 69 hereafter, denounce this Convention as regards their Colonies, Possessions or Protectorates, or one or some of those countries.

Article 67.

The States which are not Parties to this Convention shall be allowed to accede thereto at their request. Their accession shall be notified through the diplomatic channel to the Government of Great Britain, and by the latter to the Governments of the other States parties to the Convention.

This accession will carry the full acceptance of all the obligations imposed by this Convention and the full right to all the privileges specified therein. It will have full and complete effect two months after the date on which notification of the accession is sent by the Government of Great Britain to all the other Governments of the States which are parties to the Convention, unless a later date had been proposed by the acceding State.

The Governments of the States which accede to the present Convention shall annex to their declaration of accession the schedule provided for by Article 3 of this Convention. This schedule shall be added to those already deposited by the other Governments. The British Government shall transmit a copy thereof to the other Governments.

Article 68.

The treaties, conventions and arrangements concluded prior to this Convention shall continue to have full and complete effect, as regards:—

(1) ships excepted from the Convention ;

(2) ships to which it applies, in respect of subjects for which the Convention has not expressly provided.

It is understood that, the subject of this Convention being safety of life at sea, questions relating to the well-being and health of passengers, and in particular of emigrants, as well as other matters relative to their transport, continue subject to the legislation of the different States.

Article 69.

This Convention shall come into force on the 1st July, 1915, and shall remain in force without any prescribed limit of time. Nevertheless, each High Contracting Party may denounce the Convention at any time after an interval of five years from the date on which the Convention comes into force in that State.

This denunciation shall be notified through the diplomatic channel to the Government of Great Britain and by the latter to the Governments of the other Contracting Parties. It shall take effect twelve months after the day on which the notification is received by the Government of Great Britain.

A denunciation shall only affect the State which makes it, the Convention remaining fully and completely operative as regards all the other States which have ratified it, or which have acceded thereto or which thereafter accede thereto.

Article 70.

This Convention with the Regulations annexed thereto shall be drawn up in a single copy which shall be deposited in the archives of the Government of Great Britain. A true and certified copy shall be delivered by the latter to each of the Governments of the High Contracting Parties.

Article 71.

This Convention shall be ratified and the instruments of ratification, accompanied by the schedules specified in Article 3, shall be deposited at London not later than the 31st December, 1914. The British Government shall give notice of the ratifications and shall furnish a copy of each schedule to the Governments of the other Contracting Parties.

Notwithstanding failure to ratify on the part of a High Contracting Party, the Convention shall continue to have full and complete effect as regards the Contracting Parties which ratify it.

Article 72.

To render ratification easier for a Contracting State which, prior to the date of signature of this Convention, has laid down requirements in regard to any matter within the scope of this Convention, it is agreed

that no ship which has complied with those requirements before the 1st July, 1915, may avail itself of the periods of grace allowed by the Convention in order to cease to comply with those requirements.

Article 73.

Where this Convention provides that a measure may be taken after agreement between all or some of the Contracting States, the Government of His Britannic Majesty is invited to approach the said States with a view to ascertaining whether they accept the proposals made by one of these States for effecting such a measure. The Government of His Britannic Majesty will make known to the Contracting States the result of the enquiries which it thus makes.

A State from which observations on the proposals in question do not reach His Britannic Majesty's Government within six months from the communication of these proposals will be presumed to acquiesce therein.

Article 74.

This Convention may be modified at subsequent Conferences, of which the first shall be held, if necessary, in 1920. The place and time of these Conferences shall be fixed by common consent by the Governments of the High Contracting Parties.

The Governments may, through the diplomatic channel, introduce into this Convention, by common consent and at any time, improvements which may be judged useful or necessary.

In witness whereof the Plenipotentiaries have signed hereafter.

Done at London, 20th January, 1914.

Von Koerner.	Wm. H. G. Bullard.
Seeliger.	Geo. Uhler.
Schütt.	
Riess.	Guernier.
Pagel.	
Schrader.	Mersey.
Behm.	Ernest G. Moggridge.
	A. Denny.
G. Franckenstein.	Norman Hill.
Schreckenthal.	J. H. Biles.
Dunay.	H. Acton Blake.
	Alfred H. F. Young.
E. A. Pierrard.	C. Hipwood.
Ch. Le Jeune.	W. David Archer.
Louis Franck.	
	R. Muirhead Collins.
Emil Krogh.	
V. Topsöe-Jensen.	Alexander Johnston.
Rafael Bausá.	Thos. Mackenzie.
Joshua W. Alexander.	Carlo Bruno.
J. Hamilton Lewis.	Vittorio Ripa Di Meana.
Eugene T. Chamberlain.	Gustavo Tosti.
Ellsworth P. Bertholf.	
Washington Lee Capps.	Harald Pedersen. }
George F. Cooper.	J. Bruhn. } *ad referendum.*
Homer L. Ferguson.	Jens Evang. }
Alfred Gilbert Smith.	

J. V. Wierdsma.
H. S. J. Maas.
A. D. Muller.
Wilmink.
J. W. G. Coops.
N. De Etter.
C. O. Olsen.
Nils Gustaf Nilsson.

REGULATIONS.

Safety of Navigation.

Article 1.

Code for the transmission by Radiotelegraphy of Information relating to Ice, Derelicts and Weather.

Instructions.

Transmission of Information.—The transmission of information concerning ice and derelicts is obligatory. This information may be sent from ship to ship or to the Hydrographic Office, Washington, either in clear or by means of the abbreviations used in Part I. of this Code.

The transmission of information relating to weather is optional. Part II. of this Code may be used for this purpose, but may be modified at any time by the Meteorological Congress.

Information required:

Part I.—Ice and Derelicts.

1. The kind of ice or derelict observed.
2. The position of ice or derelict when last determined.

Part II.—Meteorological Information.

1. The direction and force of the wind.
2. The set and velocity of the current.
3. Weather or state of the sky at a fixed hour.
4. Height of barometer and air temperature.
5. Barometric tendency and sea-surface temperature.

The time to be adopted:

In all radiotelegrams relating to ice or derelicts the time shall be given in Greenwich mean time.

The Address:

Reports, when sent to the Hydrographic Office, Washington, should be addressed "Hydrographic"; reports to the Meteorological Office, London, should be addressed "Meteorology."

The Message:

1. When sending information about ice or derelicts alone, two groups of five figures each are used, preceded by the word "ice"; these groups may be repeated as often as necessary.

2. If meteorological information is to be sent in addition, a further four groups of five figures each are used, preceded by the word "weather."

These groups are inserted at the end of the message after all the information relating to ice has been given.

N.B.—If the message contains the word "weather," all the code groups before that word give information relating to ice, and those after the word "weather" give meteorological information. If there is no word "weather" in the message, it only contains information about ice. (See examples of the two kinds of message given in this Article.)

PART I.

ICE AND DERELICTS.

Information respecting ice and derelicts is given by means of ten figures divided into two groups of five figures each. These groups are preceded by the word "ice."

Two figures	-	The day of the month (*dd*), according to Code I.
One figure	-	The time of observation (*T*), according to Code II.
One figure	-	The kind of ice observed (*I*), according to Code III.
Three figures	-	The latitude of the ice observed (*p p p*), to tenths of a degree (*see* table below).
Three figures	-	The longitude of the ice observed (*p' p' p'*), to tenths of a degree (*see* table below).

The first group consists of *dd TIp*.
The second group consists of *ppp'p'p'*.

CODES.

Code I.—*Day of the Month.*

The day of the month is given by two figures, of which the first may be zero: 01 to 31.

Code II.—*Time of Observation.*

The time of observation is included between—

Greenwich Mean Time.		Code No.
1 a.m.	and 4 a.m.	1
4 a.m.	and 7 a.m.	2
7 a.m.	and 10 a.m.	3
10 a.m.	and 1 p.m.	4
1 p.m.	and 4 p.m.	5
4 p.m.	and 7 p.m.	6
7 p.m.	and 10 p.m.	7
10 p.m.	and 1 a.m.	8

Code III.—*Nature of Ice or Derelict observed.*

0. No ice observed.
1. Single iceberg. Huge mass of floating ice.
2. Several icebergs.
3. Numerous icebergs.
4. Floeberg. Thick piece of salt-water ice like a small iceberg.
5. Field ice. Ice extending as far as the eye can reach, but through which it is possible to navigate.
6. Pack ice. Pieces of ice broken from berg or floe, partly closed together.
7. Land ice. Ice attached to the shore since the winter.
8. Derelict.
9. (Not allotted.)

EXAMPLE.

Message sent from Ship to Ship.

	First Message.	Coded as	Second Message.	Coded as	Third Message.	Coded as	Fourth Message.	Coded as
Date of observation.	15	15	15	15	15	15	16	16
Time of observation.	10 a.m.–1 p.m.	4	4 p.m.–7 p.m.	6	7 p.m.–10 p.m.	7	4 p.m.–7 a.m.	2
Nature of ice or derelict.	Field	5	Numerous icebergs.	3	Derelict	8	Single iceberg.	1
Position of ice or derelict.	Latitude 45° 42′	457	Latitude 46° 5′	461	Latitude 46° 25′	464	Latitude 47° 19′	473
	Longitude 46° 11′	462	Longitude 44° 40′	447	Longitude 43° 58′	440	Longitude 40° 15′	402

The code of the above message would thus be :—

S.S. to S.S.

Ice, 15454, 57462 : 15634, 61447 : 15784, 64440 : 16214, 73402.

PART II.

METEOROLOGICAL INFORMATION.

Information respecting weather, &c., is given by four groups of five figures each. These groups are preceded by the word "weather."

First Group (*DDPPP*) :

The day of the month : two figures (*DD*), according to Code I.

The position of the ship when transmitting the message, indicated by three figures (*PPP*), representing the 1° square in which the ship is situated, according to Code IV. and the numbered chart annexed to this article.

Second Group (*WWCCX*) :

Wind direction and force, at 8 a.m. at the 75th meridian of west longitude : two figures (*WW*), according to Code V.

Set and velocity of current : two figures (*CC*), according to Code VI.

Weather or state of the sky at the same hour : one figure (*X*), according to Code VII.

Third Group (*BBBAA*) :

The barometric height to tenths of a millimetre, at 8 a.m. at the 75th meridian of west longitude : three figures (*BBB*), according to Code VIII.

Air temperature at the same hour : two figures (*AA*), according to Code IX.

Fourth Group (*bbSSS*) :

Barometric tendency, at 8 a.m. at the 75th meridian of west longitude : two figures (*bb*), according to Code X.

Sea surface temperature at the same hour : three figures (*SSS*), according to Code XI.

CODES.

Code IV.—*Position of Ship.*

The chart* annexed to this Article gives the numbers to be assigned to each 1° square in the North Atlantic. The position of the ship, when the meteorological data given in Part II. were observed, is indicated by the three figures representing the 1° square in which the ship is situated. For example :—A position 51° 55′ N., 26° 49′ W. would be reported as 561.

Code V.

Wind Direction (to 16 points) and *Wind Force*, at 8 a.m. mean time at the 75th meridian of west longitude (*WW*).

	Wind Force, Beaufort Scale.	N.N.E.	N.E.	E.N.E.	E.	E.S.E.	S.E.	S.S.E.	S.	S.S.W.	S.W.	W.S.W.	W.	W.N.W.	N.W.	N.N.W.	N.
Calm	0	00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Light breeze	1, 2, or 3	01	07	13	19	25	31	37	43	49	55	61	67	73	79	85	91
Moderate breeze.	4 or 5	02	08	14	20	26	32	38	44	50	56	62	68	74	80	86	92
Strong wind	6 or 7	03	09	15	21	27	33	39	45	51	57	63	69	75	81	87	93
Gale force	8 or 9	04	10	16	22	28	34	40	46	52	58	64	70	76	82	88	94
Storm force	10 or 11	05	11	17	23	29	35	41	47	53	59	65	71	77	83	89	95
Hurricane	12	06	12	18	24	30	36	42	48	54	60	66	72	78	84	90	96

N.B.—The wind direction is to be referred to true bearings.

Code VI.

Direction (to 16 points) and *Velocity of the Current* (*CC*).

Nautical Miles per Hour.	N.N.E.	N.E.	E.N.E.	E.	E.S.E.	S.E.	S.S.E.	S.	S.S.W.	S.W.	W.S.W.	W.	W.N.W.	N.W.	N.N.W.	N.
0·25	01	07	13	19	25	31	37	43	49	55	61	67	73	79	85	91
0·5	02	08	14	20	26	32	38	44	50	56	62	68	74	80	86	92
1	03	09	15	21	27	33	39	45	51	57	63	69	75	81	87	93
2	04	10	16	22	28	34	40	46	52	58	64	70	76	82	88	94
3	05	11	17	23	29	35	41	47	53	59	65	71	77	83	89	95
4	06	12	18	24	30	36	42	48	54	60	66	72	78	84	90	96
	00	No current.														
	99	No observation.														

N.B.—The current is to be referred to true bearings.

Code VII.

The State of the Sky, at 8 A.M. mean time at the 75th meridian of west longitude :—

0. Sky quite clear.
1. Sky quarter clouded.
2. Sky half clouded.
3. Sky three-quarters clouded.
4. Sky entirely overcast.
5. Rain falling.
6. Snow or hail falling.
7. Haze or mist.
8. Fog.
9. Thunderstorm.

* For this Chart, *see* Convention (French text), page 28.

Code VIII.—*Height of Barometer.*

The reading of the mercury barometer is to be corrected for index error, and reduced to 0° C. and sea level. A table of corrections is given below.

The corrected reading is coded by omitting the first figure of the barometer reading in tenths of a millimetre: for example, 761·2 mm. is coded as 612.

A table for converting hundredths of an inch to tenths of a millimetre is given below.

Code IX.

Air Temperature is coded in two figures according to the following table:—

Degrees Centigrade.	Degrees Fahrenheit.	Code Number.	Degrees Centigrade.	Degrees Fahrenheit.	Code Number.
— 15·0	5·0	00	5·5	41·9	41
— 14·5	5·9	01	6·0	42·8	42
— 14·0	6·8	02	6·5	43·7	43
— 13·5	7·7	03	7·0	44·6	44
— 13·0	8·6	04	7·5	45·5	45
— 12·5	9·5	05	8·0	46·4	46
— 12·0	10·4	06	8·5	47·3	47
— 11·5	11·3	07	9·0	48·2	48
— 11·0	12·2	08	9·5	49·1	49
— 10·5	13·1	09	10·0	50·0	50
— 10·0	14·0	10	10·5	50·9	51
— 9·5	14·9	11	11·0	51·8	52
— 9·0	15·8	12	11·5	52·7	53
— 8·5	16·7	13	12·0	53·6	54
— 8·0	17·6	14	12·5	54·5	55
— 7·5	18·5	15	13·0	55·4	56
— 7·0	19·4	16	13·5	56·3	57
— 6·5	20·3	17	14·0	57·2	58
— 6·0	21·2	18	14·5	58·1	59
— 5·5	22·1	19	15·0	59·0	60
— 5·0	23·0	20	15·5	59·9	61
— 4·5	23·9	21	16·0	60·8	62
— 4·0	24·8	22	16·5	61·7	63
— 3·5	25·7	23	17·0	62·6	64
— 3·0	26·6	24	17·5	63·5	65
— 2·5	27·5	25	18·0	64·4	66
— 2·0	28·4	26	18·5	65·3	67
— 1·5	29·3	27	19·0	66·2	68
— 1·0	30·2	28	19·5	67·1	69
— 0·5	31·1	29	20·0	68·0	70
0·0	32·0	30	20·5	68·9	71
0·5	32·9	31	21·0	69·8	72
1·0	33·8	32	21·5	70·7	73
1·5	34·7	33	22·0	71·6	74
2·0	35·6	34	22·5	72·5	75
2·5	36·5	35	23·0	73·4	76
3·0	37·4	36	23·5	74·3	77
3·5	38·3	37	24·0	75·2	78
4·0	39·2	38	24·5	76·1	79
4·5	40·1	39	25·0	77·0	80
5·0	41·0	40	25·5	77·9	81

Degrees Centigrade.	Degrees Fahrenheit.	Code Number.	Degrees Centigrade.	Degrees Fahrenheit.	Code Number.
26·0	78·8	82	30·5	86·9	91
26·5	79·7	83	31·0	87·8	92
27·0	80·6	84	31·5	88·7	93
27·5	81·5	85	32·0	89·6	94
28·0	82·4	86	32·5	90·5	95
28·5	83·3	87	33·0	91·4	96
29·0	84·2	88	33·5	92·3	97
29·5	85·1	89	34·0	93·2	98
30·0	86·0	90	34·5	94·1	

Code X.—*Barometric Tendency.*

By the "barometric tendency at a given hour" is meant the amount by which the barometric height has changed during the preceding three hours. It is to be expressed in millimetres. For example, the barometric tendency at 8 A.M. could be obtained by comparing the reading taken at that hour, say 755·7 mm., with a reading taken at 5 A.M., say 759·3 mm. In this case the barometric tendency would be expressed by a fall of 3·6 millimetres. As a general rule the barometric tendency is to be determined from the trace of the barograph.

The barometric tendency is coded in two figures, according to the following table :—

Rise in Barometer.		Code No.	Fall in Barometer.		Code No.
Millimetres.	Inches.		Millimetres.	Inches.	
0·0— 0·4	0·00—0·01	01	0·0— 0·4	0·00—0·01	51
0·5— 0·9	0·02—0·03	02	0·5— 0·9	0·02—0·03	52
1·0— 1·4	0·04—0·05	03	1·0— 1·4	0·04—0·05	53
1·5— 1·9	0·06—0·07	04	1·5— 1·9	0·06—0·07	54
2·0— 2·4	0·08—0·09	05	2·0— 2·4	0·08—0·09	55
2·5— 2·9	0·10—0·11	06	2·5— 2·9	0·10—0·11	56
3·0— 3·4	0·12—0·13	07	3·0— 3·4	0·12—0·13	57
3·5— 3·9	0·14—0·15	08	3·5— 3·9	0·14—0·15	58
4·0— 4·4	0·16—0·17	09	4·0— 4·4	0·16—0·17	59
4·5— 4·9	0·18—0·19	10	4·5— 4·9	0·18—0·19	60
5·0— 5·4	0·20—0·21	11	5·0— 5·4	0·20—0·21	61
5·5— 5·9	0·22—0·23	12	5·5— 5·9	0·22—0·23	62
6·0— 6·4	0·24—0·25	13	6·0— 6·4	0·24—0·25	63
6·5— 6·9	0·26—0·27	14	6·5— 6·9	0·26—0·27	64
7·0— 7·4	0·28—0·29	15	7·0— 7·4	0·28—0·29	65
7·5— 7·9	0·30—0·31	16	7·5— 7·9	0·30—0·31	66
8·0— 8·4	0·32—0·33	17	8·0— 8·4	0·32—0·33	67
8·5— 8·9	0·34—0·35	18	8·5— 8·9	0·34—0·35	68
9·0— 9·4	0·36—0·37	19	9·0— 9·4	0·36—0·37	69
9·5— 9·9	0·38—0·38	20	9·5— 9·9	0·38—0·38	70
10·0—10·4	0·39—0·40	21	10·0—10·4	0·39—0·40	71
10·5—10·9	0·41—0·42	22	10·5—10·9	0·41—0·42	72
11·0—11·4	0·43—0·44	23	11·0—11·4	0·43—0·44	73
11·5—11·9	0·45—0·46	24	11·5—11·9	0·45—0·46	74
12·0—12·4	0·47—0·48	25	12·0—12·4	0·47—0·48	75
12·5—12·9	0·49—0·50	26	12·5—12·9	0·49—0·50	76

Rise in Barometer.		Code No.	Fall in Barometer.		Code No.
Millimetres.	Inches.		Millimetres.	Inches.	
13·0—13·4	0·51—0·52	27	13·0—13·4	0·51—0·52	77
13·5—13·9	0·53—0·54	28	13·5—13·9	0·53—0·54	78
14·0—14·4	0·55—0·56	29	14·0—14·4	0·55—0·56	79
14·5—14·9	0·57—0·58	30	14·5—14·9	0·57—0·58	80
15·0—15·4	0·59—0·60	31	15·0—15·4	0·59—0·60	81
15·5—15·9	0·61—0·62	32	15·5—15·9	0·61—0·62	82
16·0—16·4	0·63—0·64	33	16·0—16·4	0·63—0·64	83
16·5—16·9	0·65—0·66	34	16·5—16·9	0·65—0·66	84
17·0—17·4	0·67—0·68	35	17·0—17·4	0·67—0·68	85
17·5—17·9	0·69—0·70	36	17·5—17·9	0·69—0·70	86
18·0—18·4	0·71—0·72	37	18·0—18·4	0·71—0·72	87
18·5—18·9	0·73—0·74	38	18·5—18·9	0·73—0·74	88
19·0—19·4	0·75—0·76	39	19·0—19·4	0·75—0·76	89
19·5—19·9	0·77—0·78	40	19·5—19·9	0·77—0·78	90
20·0—20·4	0·79—0·80	41	20·0—20·4	0·79—0·80	91
20·5—20·9	0·81—0·82	42	20·5—20·9	0·81—0·82	92
21·0—21·4	0·83—0·84	43	21·0—21·4	0·83—0·84	93
21·5—21·9	0·85—0·86	44	21·5—21·9	0·85—0·86	94
22·0—22·4	0·87—0·88	45	22·0—22·4	0·87—0·88	95
22·5—22·9	0·89—0·90	46	22·5—22·9	0·89—0·90	96
23·0—23·4	0·91—0·92	47	23·0—23·4	0·91—0·92	97
23·5—23·9	0·93—0·94	48	23·5—23·9	0·93—0·94	98
24·0—24·4	0·95—0·96	49	The barometric tendency cannot be reported.		99

Code XI.—*Sea Surface Temperature.*

Sea surface temperature to tenths of a degree Centigrade, is coded by three figures, or, when necessary, by two figures preceded by zero. If the temperature is negative, the first of these three figures is 5.

For example :—

— 2·2° C. is coded as 522.
+ 1·0° C. „ „ 010.
+ 15·6° C. „ „ 156.

TABLE of Corrections for reducing Barometric Heights to 0° C. and to Sea Level.

NOTE.—The barometric reading should first be corrected for index error. This error may be neglected if it is less than 0·3 mm.
The + sign indicates that the correction is to be *added* to the barometric reading.
The — sign indicates that the correction is to be *subtracted*.

Temperature by the thermometer attached to the barometer.	−4° C. 24·8° F.	−2° C. 28·4° F.	0° C. 32° F.	+2° C. 35·6° F.	4° C. 39·2° F.	6° C. 42·8° F.	8° C. 46·4° F.	10° C. 50° F.	12° C. 53·6° F.	14° C. 57·2° F.	16° C. 60·8° F.	18° C. 64·4° F.	20° C. 68° F.	22° C. 71·6° F.	24° C. 75·2° F.	26° C. 78·8° F.	28° C. 82·4° F.
	Corrections to be made.																
Height of barometer cistern above sea level. Metres.	Ft. Ins.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.
0	0 0	+0·5	+0·3	0·0	−0·2	−0·5	−0·7	−1·0	−1·2	−1·5	−1·7	−2·0	−2·2	−2·5	−2·7	−3·0	−3·2	−3·5
1	3 3	+0·6	0·4	+0·1	0·1	0·4	0·6	0·9	1·1	1·4	1·6	1·9	2·1	2·4	2·6	2·9	3·1	3·4
2	6 7	+0·8	0·5	0·3	0·0	0·3	0·5	0·7	1·0	1·2	1·5	1·7	2·0	2·2	2·5	2·8	3·0	3·2
3	9 10	+0·9	0·6	0·4	+0·1	0·1	0·4	0·6	0·9	1·1	1·4	1·6	1·9	2·1	2·4	2·6	2·9	3·1
4	13 1	+1·0	0·8	0·5	0·2	0·0	0·3	0·5	0·8	1·0	1·2	1·5	1·7	2·0	2·2	2·5	2·8	3·0
5	16 5	+1·2	0·9	0·7	0·4	+0·1	0·1	0·4	0·6	0·9	1·1	1·4	1·6	1·9	2·1	2·4	2·7	2·9
6	19 8	+1·3	1·0	0·8	0·5	0·2	0·0	0·3	0·5	0·8	1·0	1·3	1·5	1·8	2·0	2·3	2·6	2·8
7	22 0	+1·4	1·2	0·9	0·6	0·3	+0·1	0·1	0·4	0·6	0·9	1·1	1·4	1·6	1·9	2·2	2·4	2·7
8	26 3	+1·5	1·3	1·0	0·7	0·5	0·2	0·0	0·3	0·5	0·8	1·0	1·3	1·5	1·8	2·1	2·3	2·6
9	29 6	+1·7	1·4	1·2	0·8	0·6	0·3	+0·1	0·2	0·4	0·6	0·9	1·1	1·4	1·6	2·0	2·2	2·5
10	32 10	+1·8	1·6	1·3	1·0	0·7	0·5	0·2	0·0	0·3	0·5	0·8	1·0	1·3	1·5	1·9	2·1	2·4
11	36 1	+1·9	1·7	1·4	1·1	0·8	0·6	0·3	+0·1	0·2	0·4	0·7	0·9	1·2	1·4	1·8	2·0	2·2
12	39 4	+2·0	1·8	1·5	1·2	1·0	0·7	0·5	0·2	0·0	0·3	0·5	0·8	1·1	1·3	1·6	1·9	2·1
13	42 8	+2·2	1·9	1·7	1·3	1·1	0·8	0·6	0·3	+0·1	0·2	0·4	0·7	0·9	1·2	1·5	1·8	2·0
14	45 11	+2·3	2·0	1·8	1·5	1·2	0·9	0·7	0·4	0·2	0·0	0·3	0·6	0·8	1·1	1·4	1·6	1·9
15	49 3	+2·4	2·2	1·9	1·6	1·4	1·1	0·8	0·6	0·3	+0·1	0·2	0·5	0·7	1·0	1·3	1·5	1·8
16	52 6	+2·5	2·3	2·0	1·7	1·5	1·2	0·9	0·7	0·4	0·2	0·1	0·4	0·6	0·9	1·2	1·4	1·6
17	55 9	+2·6	2·4	2·1	1·9	1·6	1·3	1·1	0·8	0·6	0·3	+0·1	0·3	0·5	0·8	1·0	1·3	1·5
18	59 1	+2·8	2·5	2·3	2·0	1·7	1·4	1·2	0·9	0·7	0·4	0·2	0·1	0·4	0·6	0·9	1·2	1·4
19	62 4	+2·9	2·6	2·4	2·1	1·9	1·5	1·3	1·0	0·8	0·6	0·3	0·0	0·3	0·5	0·8	1·0	1·3
20	65 7	+3·0	2·8	2·5	2·3	2·0	1·7	1·4	1·2	0·9	0·7	0·4	+0·1	0·2	0·4	0·7	0·9	1·2
21	68 11	+3·1	2·9	2·6	2·4	2·1	1·8	1·5	1·3	1·0	0·8	0·5	0·2	0·1	0·3	0·6	0·8	1·1
22	72 2	+3·3	3·0	2·8	2·5	2·2	1·9	1·7	1·4	1·2	0·9	0·6	0·3	+0·1	0·2	0·4	0·7	0·9
23	75 6	+3·4	3·1	2·9	2·6	2·4	2·1	1·8	1·5	1·3	1·0	0·8	0·4	0·2	0·1	0·3	0·6	0·8

Table for converting barometric readings in inches into millimetres.

Inches and Tenths.	Hundredths of an Inch.									
	0.	1.	2.	3.	4.	5.	6.	7.	8.	9.
	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.	Mm.
27·0	685·8	686·0	686·3	686·6	686·8	687·1	687·3	687·6	687·8	688·1
·1	688·3	688·6	688·8	689·1	689·3	689·6	689·9	690·1	690·4	690·6
·2	690·9	691·1	691·4	691·6	691·9	692·1	692·4	692·7	692·9	693·2
·3	693·4	693·7	693·9	694·2	694·4	694·7	694·9	695·2	695·4	695·7
·4	696·0	696·2	696·5	696·7	697·0	697·2	697·5	697·7	697·9	698·2
·5	698·5	698·7	699·0	699·3	699·5	699·8	700·1	700·3	700·5	700·8
·6	701·0	701·3	701·5	701·8	702·0	702·3	702·6	702·8	703·1	703·3
·7	703·6	703·8	704·1	704·3	704·6	704·8	705·1	705·4	705·6	705·9
·8	706·1	706·4	706·6	706·9	707·1	707·4	707·6	707·9	708·1	708·4
·9	708·7	708·9	709·2	709·4	709·7	709·9	710·2	710·4	710·7	710·9
28·0	711·2	711·4	711·7	712·0	712·2	712·5	712·7	713·0	713·2	713·5
·1	713·7	714·0	714·2	714·5	714·7	715·0	715·3	715·5	715·8	716·0
·2	716·3	716·5	716·8	717·1	717·3	717·5	717·8	718·0	718·3	718·6
·3	718·8	719·1	719·3	719·6	719·8	720·1	720·3	720·6	720·8	721·1
·4	721·4	721·6	721·9	722·1	722·4	722·6	722·9	723·1	723·4	723·6
·5	723·9	724·1	724·4	724·7	724·9	725·2	725·4	725·7	725·9	726·2
·6	726·4	726·7	726·9	727·2	727·4	727·7	728·0	728·2	728·5	728·7
·7	729·0	729·2	729·5	729·7	729·9	730·2	730·5	730·7	731·0	731·3
·8	731·5	731·8	732·0	732·3	732·5	732·8	733·0	733·3	733·5	733·8
·9	734·1	734·3	734·6	734·8	735·1	735·3	735·6	735·8	736·1	736·3
29·0	736·6	736·8	737·1	737·4	737·6	737·9	738·1	738·4	738·6	738·9
·1	739·1	739·4	739·6	739·9	740·1	740·4	740·7	740·9	741·2	741·4
·2	741·7	741·9	742·2	742·4	742·7	742·9	743·2	743·4	743·7	744·0
·3	744·2	744·5	744·7	745·0	745·2	745·5	745·7	745·9	746·2	746·5
·4	746·8	747·0	747·3	747·5	747·7	748·1	748·3	748·5	748·8	749·0
·5	749·3	749·5	749·8	750·1	750·3	750·6	750·8	751·1	751·3	751·6
·6	751·8	752·1	752·3	752·6	752·8	753·1	753·4	753·6	753·9	754·1
·7	754·4	754·6	754·8	755·1	755·4	755·6	755·9	756·1	756·4	756·7
·8	756·9	757·2	757·4	757·7	757·9	758·2	758·4	758·7	758·9	759·2
·9	759·5	759·7	760·0	760·2	760·5	760·7	761·0	761·2	761·5	761·7
30·0	762·0	762·2	762·5	762·8	763·0	763·3	763·5	763·8	764·0	764·3
·1	764·5	764·8	765·0	765·3	765·5	765·8	766·1	766·3	766·6	766·8
·2	767·1	767·3	767·6	767·8	768·1	768·3	768·6	768·8	769·1	769·4
·3	769·6	769·9	770·1	770·4	770·6	770·9	771·1	771·4	771·6	771·9
·4	772·2	772·4	772·7	772·9	773·2	773·4	773·7	773·9	774·2	774·4
·5	774·7	774·9	775·2	775·5	775·7	776·0	776·2	776·5	776·7	777·0
·6	777·2	777·5	777·7	778·0	778·2	778·5	778·8	779·0	779·3	779·5
·7	779·8	780·0	780·3	780·5	780·8	781·0	781·3	781·5	781·8	782·1
·8	782·3	782·6	782·8	783·1	783·3	783·6	783·8	784·1	784·3	784·6
·9	784·9	785·1	785·4	785·6	785·9	786·2	786·4	786·6	786·9	787·1
31·0	787·4	787·6	787·9	788·2	788·4	788·7	788·9	789·2	789·4	789·7
·1	789·9	790·2	790·4	790·7	790·9	791·2	791·5	791·7	792·0	792·2
·2	792·5	792·7	793·0	793·2	793·5	793·7	794·0	794·2	794·5	794·8
·3	795·1	795·3	795·5	795·8	796·0	796·3	796·5	796·8	797·0	797·3
·4	797·6	797·8	798·1	798·3	798·6	798·8	799·1	799·3	799·6	799·8

TABLE for converting Minutes to Tenths of a Degree.

Minutes.	Tenths of a degree.
0–3	0
4–9	1
10–15	2
16–21	3
22–27	4
28–33	5
34–39	6
40–45	7
46–51	8
52–57	9
58–59	10

EXAMPLE.

Message containing Meteorological Information.

Ice :

——	First Message.	Coded as	Second Message.	Coded as
Date of observation	21	21	22	22
Time of observation	1 p.m.—4 p.m.	5	4 a.m.—7 a.m.	2
Nature of ice or derelict	Single iceberg	1	Field ice	5
Position of ice or derelict	Latitude 44° 35′	446	Latitude 42° 58′	430
	Longitude 43° 15′	432	Longitude 47° 3′	470

Weather :

——	First Message.	Coded as	Second Message.	Coded as
Date of observation	21	21	22	22
Position of ship	Latitude 45° 13′ Longitude 42° 5′	825	Latitude 43°·47° Longitude 46° 33′	863
Direction and force of wind	E.S.E. 5	26	S.W. 2	55
Set and velocity of current	N.W. 2 m-h.	82	S.S.E. 1 m-h.	39
Weather	Sky clear	0	Fog	8
Barometer	765·3 mm.	653	753·2 mm.	532
Air temperature	15·3° C.	61	9·8° C.	50
Barometric tendency	Rise ·8	02	Full 2·7	56
Sea-surface temperature	1·4° C.	014	— ·7° C.	507

The Code of the above message sent to the Meteorological Office would thus be :—

Meteorology : Ice ; 21514, 46432 : 22254, 30470 : Weather : 21825, 26820, 65361, 02014 : 22863, 55398, 53250, 56507.

ARTICLE II.

SAFETY SIGNAL.

The radiotelegraph stations which have to transmit to ships information involving safety of navigation and being of an urgent character (icebergs, derelicts, cyclones, typhoons, sudden changes in the position or

form of fixed obstructions or of land marks) shall make use of the following signal, called the safety signal, repeated at short intervals ten times at full power :

— — — (T T T)

In principle, all radiotelegraph stations receiving the safety signal, shall, if the transmission of messages by them would interfere with the receipt by any other station of the safety signal and the following safety message, kept silence, in order to allow all interested stations to receive that message. This does not apply to cases of distress.

The safety message shall be transmitted one minute after the safety signal has been sent out, and shall be repeated thereafter three times at intervals of ten minutes.

The Governments of the Contracting States will select the stations which are to send out to mariners safety information of an urgent character.

When the information in question has been sent out by stations performing the time service, it shall be again sent out after the transmission of the time signal and the weather report.

Article III.

Morse Code.

INTERNATIONAL SIGNALS.

These signals may be made at night or in thick weather, either by long and short flashes of light, or by long and short sound signals (whistles, fog-horns, &c.), or during the day by hand flags.

1.—URGENT AND IMPORTANT SIGNALS.

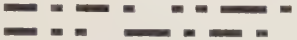
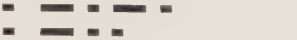
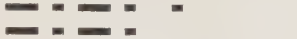
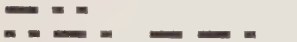
You are standing into danger - - - - ▪ ▪ —
I want assistance ; remain by me - - - ▪ ▪ ▪ —
Have encountered ice - - - - - ▪ — —
Your lights are out (*or*, burning badly) - - ▪ — — ▪
The way is off my ship ; you may feel your way past me - - - - - ▪ — ▪
Stop (*or*, heave to) ; I have something important to communicate - - - - - ▪ — ▪ ▪
Am disabled ; communicate with me - - - ▪ ▪ — ▪

2.—GENERAL SIGNALS.

Meaning.	Signal.	Equivalent Letters and how made.	How Answered.
Preparative -	▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ &c.	A succession of E's in one group.	By the general answer T.
Answer - -	—	T (singly).	

Meaning.	Signal.	Equivalent Letters and how made.	How Answered.
Spelling		F F in one group.	By the general answer T.
Use International Code of Signals.		M M M in one group.	By the general answer T.
International Code Flag Sign.		M M in one group.	
Break sign		I I as separate letters.	
Stop		I I I as separate letters.	
Finish of the message.		V E as one group.	R D As separate letters.
Erase sign	&c.	A succession of E's as separate letters.	By a succession of E's as separate letters.
Annul	W W	W W as one group.	By W W as one group.
Repeat word after— (when a single word is required)	I M I W A Followed by the word preceding the one required.	I M I as one group. W A as separate letters.	By the general answer T.
Repeat all after— (if more than one word is required)	M I A A	I M I as one group. A A as separate letters.	By the general answer T.
Repeat all— (if the whole message is to be repeated)	I M I A L L	I M I as one group. A L L as separate letters.	By the general answer T.

3.—NATIONALITY SIGNALS.

Meaning.	Signal.	Equivalent Letters and how made.
American		C D as separate letters.
Argentine		C G „ „
Austro-Hungarian		C F „ „
Belgian		D C „ „
Brazilian		D E „ „
British		F.
Bulgarian		D F as separate letters.
Chilian		D G „ „
Chinese		E C „ „
Columbian		E D „ „
Danish		E F „ „
Dutch		E G „ „
French		E.
German		G.
Greek		M M in one group followed by D.
Italian		C E as separate letters.
Japanese		C.
Mexican		F C as separate letters.
Norwegian		M M in one group followed by C.
Peruvian		F D as separate letters.
Portuguese		F E „ „
Russian		D.
Siamese		F G as separate letters.
Spanish		G C „ „
Swedish		M M in one group followed by E.
Turkish		G D as separate letters.
Uruguayan		G E „ „
Venezuelan		G F „ „

4.—INSTRUCTIONS.

1. The Urgent and Important Signals may be made without the Preparative Signal being answered if it is supposed that the person addressed cannot reply, or in other special circumstances; but in this case a pause should be made between the Preparative Signal and the message.

2. The Signal (FF) is used previous to any letters which are intended to spell words.

3. The Signal (MMM) is used previous to any message sent by means of the International Code of Signals.

4. The Signal (MM) means the Code Flag of the International Code of Signals, and is used as indicated in the Code Book.

5. The Break Sign is used between the address of the receiver and the text of the message, and after the message if the name of the sender is to be signalled.

6. THE STOP is used, where necessary, in the text of the signal.

7. THE ERASE is used to cancel the last word or signal group, sent by mistake.

8. THE ANNUL is used to cancel *all* the message.

9. METHOD OF ANSWERING. Each word or signal group, when understood is to be answered by one long flash ▬ (T).

If a word or signal group is not answered, the sender is to repeat it until answered by a long flash.

At the end of the message, if understood, the receiver will make ▪ ▬ ▪ ▬ ▪ ▪ (RD).

The Erase and Annul signs are to be answered by their own signs.

10. THE NATIONALITY SIGNAL is made immediately after the answer to the Preparatory Signal has been received, to indicate the nationality of the vessel making the signal. It is answered by the nationality signal of the vessel receiving the message.

ARTICLE IV.

A printed copy of the code of urgent and important signals shall be placed in a prominent position in the chart room of every ship.

CONSTRUCTION.

ARTICLE V.

Definitions.

The meaning of the principal technical and other expressions contained both in the Convention and in these Regulations, under the heading of Construction, is as follows :—

(1) The *load water-line* is the water-line used in determining the subdivision of the ship.

(2) The *length* of the ship is the extreme length at the load water-line.

(3) The *breadth* of the ship is the extreme width from outside of frame to outside of frame at or below the load water-line.

(4) The *bulkhead deck* is the uppermost continuous deck to which all transverse watertight bulkheads are carried.

(5) The *margin line* is a line drawn parallel to the bulkhead deck at side line, and 76 millimetres (equivalent to three inches) below the upper surface of that deck at side.

(6) The *draught* is the vertical distance from the top of keel amidships to the load water-line.

(7) The *freeboard* is the vertical distance from the load water-line to the margin line amidships.

(8) The *depth* of the ship is the sum of the draught and freeboard as above defined.

(9) The *sheer* of the bulkhead deck at any point is the vertical distance between the beam at side line at that point and a line drawn parallel to the load water-line at the height of the beam at side line amidships.

(10) If *block coefficient of fineness of displacement to load water-line* is used, this coefficient shall be determined as follows :—

$$\frac{\text{Volume of displacement to moulded lines.}}{\text{Length} \times \text{Breadth} \times \text{Draught.}}$$

(11) The *permeability* of a space is the percentage of that space which can be occupied by water.

The volume of a compartment which extends above the margin line shall be measured only to the height of that line. Volumes shall be understood as volumes to moulded lines.

(12) The *machinery space* is to be taken as extending in length between the extreme main transverse watertight bulkheads bounding the spaces devoted to the main and auxiliary propelling machinery, including boilers when installed.

Article VI.

Floodable Length.

The floodable length at any point of the length of a ship shall be determined taking into consideration form, draught, and other limiting characteristics of the ship in question.

This floodable length for a given point in a ship with a continuous bulkhead deck is the maximum percentage of the length of the ship (having its centre at the point in question) which can be flooded under the definite assumptions hereafter set forth in Article VII. without the ship being submerged beyond the margin line.

In the case of ships not having a continuous bulkhead deck, the floodable length must be such as to secure to the ship in question, for each portion of its length, and for all conditions of trim after damage, a measure of safety at least equal in effectiveness to that laid down for the ship with continuous bulkhead deck.

Article VII.

Permeability.

The definite assumptions referred to in Article VI. relate to the permeabilities of the spaces in question below the margin line.

In determining the floodable length a uniform average permeability shall be used throughout the whole length of each of the three following portions of the ship :—

(1) The machinery space ;
(2) The portion forward of the machinery space ; and
(3) The portion abaft the machinery space.

For steam ships the permeability of the machinery space, including the double bottom in wake thereof, shall be taken as 80 per cent. For ships fitted with internal combustion engines the corresponding permeability shall be taken as 85 per cent., unless it is proved by actual calculation that a lower figure may be adopted, provided that in no case shall that figure be less than 80 per cent.

The permeabilities for spaces forward and aft of the machinery space shall be as follows :—

(*a*) Sixty per cent. in cargo spaces, bunkers (permanent or reserve), storerooms, baggage and mail rooms, chain-lockers, watertight shaft or pipe tunnels, and fresh-water tanks above the double bottom.

It must be proved that the spaces just enumerated are practicable for the purpose intended and that they are in fact to be so used. The same permeability shall not be assigned to any other space without the approval of the Administration.

(*b*) Ninty-five per cent. in passenger and crew spaces, peaks, trimming-tanks exclusively so used, double bottoms, and all other spaces not specifically appropriated to one of the purposes indicated in the foregoing section (*a*).

If in a 'tween-deck space enclosed by complete transverse permanent steel bulkheads any portion thereof is appropriated to passengers, the whole of that space shall be regarded as passenger space; and, similarly, 'tween-deck spaces appropriated for the carriage of *either* passengers *or* cargo shall be regarded as passenger spaces.

Where the spaces before or abaft the machinery space below the margin line consist partly of spaces mentioned in section (*a*) and partly of spaces mentioned in section (*b*), the average percentage of permeability shall be determined separately for each end by the formula $95-35\,r$ where r is the ratio between the volume of the spaces mentioned in section (*a*) and the total volume of the space in the portion of the ship under consideration.

ARTICLE VIII.

Permissible Length of Compartments.

(1) The maximum permissible length of one compartment having its centre at any point in the ship's length is obtained from the floodable length (Article VI.) by multiplying that length by an appropriate factor, called the *factor of subdivision*.

(2) This factor of subdivision depends on the length of the ship, and, for a given length, varies according to the nature of the service for which the ship is intended. This factor decreases in a regular and continuous manner—

(*a*) As the length of ship increases; and

(*b*) As, for a given length, the ship departs from the type of ship engaged in a mixed cargo and passenger service, and approaches to the type of ship primarily engaged in the carriage of passengers.

(3) For each of the two types of ships referred to in the previous paragraph (2) (*b*) the variation of the factor of subdivision may be expressed by a curve, of which the co-ordinates represent the length of the ship and the value of the factor. The following table gives certain points on two curves the higher of which corresponds to the minimum requirements for the "mixed" type, and the lower to the minimum requirements for the "passenger" type.

TABLE.

A.	B.		C.	
	Metres.	Feet.	Metres.	Feet.
1·00 - - - - -	90	295	79	259
0·90 - - - - -	114	374	87	285
0·84 - - - - -	123	404	93	305
0·65 - - - - -	149	489	116	380
0·50 - - - - -	174	571	149	489
0·39 - - - - -	213	699	209	685
0·34 - - - - -	274	899	274	899

Column (A) gives the maximum permissible values of the factor of subdivision for the length of ships given in Columns (B) and (C).

Column (B) is applicable to ships engaged in a mixed cargo and passenger service.

Column (C) is applicable to ships primarily engaged in the carriage of passengers.

(4) For a given length, the value of the factor of subdivision appropriate to a ship between the two extreme limits will be between the values of the factors determined by the two curves before mentioned, and will be automatically fixed by a *criterion of service* which is to form the subject of further study.

ARTICLE IX.

(1) When the factor of subdivision is equal to or less than ·5, it may be doubled in order to give at any point of the ship's length the total length of two adjacent compartments; but, in that case, the length of the shorter compartment of any pair shall not be less than one-quarter of the total length so obtained. If one of the two adjacent compartments is situated inside the machinery space and the second is situated outside the machinery space, and the average permeability of the portion of the ship in which the second is situated differs from eighty per cent., the length of the pair of compartments shall be adjusted to the proper value by applying a suitable correction.

(2) In no case whatever shall the length of any watertight compartment exceed 28 metres (equivalent to 92 feet).

(3) When the factor of subdivision applicable to any ship is less than ·84, but more than ·5, the combined length of the two foremost compartments shall not exceed the floodable length at the extreme forward end, provided also that the length of the second compartment is not greater than that permissible by Article VIII. above and not less than 3 metres (equivalent to 10 feet).

(4) When the length of the ship is more than 213 metres (equivalent to 699 feet) but less than 251 metres (equivalent to 823 feet) the floodable length at the forward end of the ship shall be at least 20 per cent. of the ship's length; and the ship, forward of a bulkhead placed either at the distance of the actual floodable length abaft the stem or not nearer to the stem than 20 per cent. of the ship's length, shall be divided into at least three compartments.

(5) When the length of the ship is equal to or greater than 251 metres (equivalent to 823 feet) the same method shall be adopted, but the floodable length shall be at least 28 per cent. and the number of compartments at least four.

(6) A bulkhead may be recessed transversely, provided the sides of the recess are at a sufficient distance from the sides of the ship.

Vertical steps are inadmissible in the main transverse watertight bulkheads of ships to which the subdivision rules of Article VIII. apply where the factor of subdivision is greater than ·5, unless such arrangements are made by additional subdivision as shall maintain the same measure of safety as that secured by bulkheads without steps. The total length of the steps in any bulkhead shall not exceed 2 per cent. of the ship's length, plus 3 metres (equivalent to 10 feet).

(7) The existence of recesses or steps in a bulkhead shall in no case affect the permissible volumes of the compartments adjacent to such bulkhead, as determined by this and the preceding Article.

ARTICLE X.

If the degree of safety of a ship is greater than that prescribed by Articles VIII. and IX. above, and if the owner requests that this fact be recorded on the Safety Certificate, in accordance with Article 17 (paragraph 4) of the Convention, this request shall be accompanied with all the data necessary to justify the claim.

In such case, the record shall state the fact that the subdivision is equal or superior to that provided for a ship of equal length in Column (C) of the Table in Article VIII., with an additional statement giving the length of the ship in Column (C) whose factor of subdivision according to the rules would be exactly equal to that employed in determining the subdivision of the ship in question.

Values of length and factors for lengths not specifically stated in Columns (C) and (A) respectively of the Table in Article VIII. shall be obtained by interpolation.

ARTICLE XI.

Peak and Machinery Space Bulkheads.

Ships shall be fitted with a forepeak bulkhead to extend to the bulkhead deck, and to the weather deck in ships having continuous super-structures. This bulkhead shall be placed at a distance of not less than 5 per cent. of the ship's length from the stem at the load water-line.

An afterpeak bulkhead and bulkheads dividing the machinery space from the cargo and the passenger spaces shall also be fitted and carried up to the bulkhead deck. The afterpeak bulkhead may, however, be stopped below the bulkhead deck, provided that it shall at least be carried to the first deck above the load water-line, and that such deck forms a watertight flat from the afterpeak bulkhead to the stern, and also provided that the degree of safety of the ship as regards subdivision is not thereby diminished.

ARTICLE XII.

Fireproof Bulkheads.

In parts of a ship above the margin line there shall be fitted fireproof bulkheads which will serve to retard the spread of fire. The mean distance between any two consecutive bulkheads of this description shall not be greater than 40 metres (equivalent to 131 feet). Recesses in these bulkheads shall be fireproof, and the openings in these bulkheads shall be fitted with fireproof doors.

ARTICLE XIII.

Exits from Watertight Compartments.

(1) In passenger and crew spaces a practicable means of escape for the occupants shall be provided from each watertight compartment.

(2) There shall be a means of escape for the crew from each engine room, shaft tunnel and stokehold compartment, independent of the watertight doors.

ARTICLE XIV.

Construction and Initial Testing of Watertight Bulkheads.

(1) Watertight bulkheads shall be constructed in such a manner that they shall be capable of supporting, with a proper margin of resistance, the pressure due to a head of water up to the margin line.

(2) Steps and recesses in bulkheads shall be as watertight and as strong as the bulkhead at the place where each occurs.

Where frames or beams pass through a watertight deck or bulkhead, the watertightness shall be obtained by caulked angle chocks, or cast iron or steel chocks efficiently secured and rust-jointed, and not by wood or cement.

(3) Testing main compartments by filling them with water is not compulsory. A complete examination of the bulkheads shall be made by a surveyor; and, in addition, a hose test shall be made in all cases.

(4) The foremost and aftermost compartments shall be tested with water to a head up to the margin line.

Double bottoms, deep tanks, and all compartments intended to hold liquids shall be tested with water to a head 2·44 metres (8 feet) above the top of the tank or to the load water-line, whichever is the greater.

(5) No change may be made in the structure of the bulkheads after the completion of the survey without the permission of the Administration.

(6) All provisions relating to main transverse watertight bulkheads shall apply to longitudinal bulkheads, so far as is practicable.

Article XV.

Openings in Watertight Bulkheads.

(1) The number of openings in watertight bulkheads shall be reduced to the minimum compatible with the design and proper working of the ship; satisfactory means shall be provided for closing these openings.

(2) No doors, sluice valves, manholes, or access openings are permitted—

(*a*) In the collision bulkhead below the margin line.

(*b*) In watertight transverse bulkheads dividing a cargo space from an adjoining cargo space or from a reserve bunker, except as provided in paragraph (6) of this Article.

(3) In the machinery space and apart from bunker and shaft-tunnel doors, not more than one door may be fitted in each main transverse bulkhead within the machinery space for intercommunication, but where more than one separate shaft tunnel is fitted a door may be cut for each tunnel.

If a tunnel is fitted forward either for the purpose of pipes or as a communication passage it shall be fitted with a watertight door.

(4) The only types of watertight doors permissible are hinged doors, sliding doors, and doors of any other equivalent pattern, excluding plate doors secured only by bolts.

A hinged door shall be fitted with lever-operated catches workable from each side of the bulkhead.

A sliding door may have a horizontal or vertical motion. If hand-operated only, the door shall be capable of being operated at the door itself and also from an accessible position above the margin line. If operated by power, it shall be capable of being operated from the bridge, and by hand both at the door itself and from an accessible position above the margin line. A door dropping by its own weight, and fitted with a cataract cylinder or equivalent arrangement, may be considered as being operated by power, if capable of being released from the bridge.

(5) In the case of watertight bunker doors, satisfactory arrangements shall be made by means of screens or otherwise, to prevent the coal from interfering with the closing of the doors.

(6) Hinged watertight doors in passenger, crew, and working spaces are only permitted above a deck, the under side of which, at its lowest point at side, is at least 2·13 metres (7 feet) above the load water-line, and they are not permitted in those spaces below such deck.

Hinged watertight doors of specially heavy design may be fitted above the load water-line in bulkheads between cargo 'tween-deck spaces. They shall be closed before the voyage commences, and kept closed while at sea by efficient closing gear. None of these doors shall be fitted, even at the ends of the ship, in a cargo 'tween-deck space in the amidship region of which 'tween-deck space it would not be permissible to fit such doors.

(7) All other watertight doors shall be sliding doors.

(8)—(*a*) When the number of watertight doors in the main transverse watertight bulkheads at or about the stokehold level in the machinery space exceeds five, excluding the watertight doors at the entrances of tunnels, all watertight doors situated below the load water-line shall be capable of being simultaneously closed from a station situated on the bridge, and their opening and closing shall be indicated at that station. The simultaneous closing of these doors shall be preceded by a warning sound signal.

(*b*) If watertight doors which have sometimes to be open at sea for the purpose of trimming coal are fitted between bunkers in the 'tween-decks below the bulkhead deck, these shall be operated by power. The opening and closing of these doors shall be recorded in the official log book.

(*c*) When trunkways in connection with refrigerated cargo are carried through more than one main transverse watertight bulkhead, and the sills of the openings are less than 2·13 metres (7 feet) above the load water-line, the watertight doors at such openings shall be operated by power.

(9) Portable plates on bulkheads shall not be permitted except in machinery spaces. Such plates shall always be in place before the ship leaves port, and shall not be removed at sea except in case of urgent necessity. The necessary precautions shall be taken in replacing them to ensure that the joint shall be perfectly watertight.

(10) All watertight doors shall be kept closed during navigation except when necessarily opened for the working of the ship, and shall always be ready to be immediately closed.

(11) If trunkways for forced draught, for access from crew's accommodation to the stokehold or for any other purpose, are carried through the main transverse watertight bulkheads, the integrity of the watertight bulkheads shall be maintained by watertight doors or other equally effective means.

(12) Where pipes, electric-light cables, &c., are carried through transverse watertight bulkheads below the margin line, arrangements shall be made to ensure the integrity of the watertightness of the bulkheads.

(13) The number of sluice valves in watertight bulkheads shall be reduced to the minimum, and shall not be allowed except in positions where they are sufficiently accessible at all times to allow of it being ascertained that they are in good order. They shall be strongly constructed, efficiently fitted, and regularly inspected. Satisfactory pro-

vision shall be made for operating them from an accessible position above the margin line. Means shall be provided for indicating when they are open or shut.

ARTICLE XVI.

Openings in Ship's Side.

(1)—(*a*) Subject to clause (*b*) below, when side scuttles are fitted below a deck the under side of which at its lowest point at side is less than 2·13 metres (7 feet) above the load water-line, they shall be permanently fixed.

(*b*) Side scuttles, which are capable of being opened, may be fitted in the positions defined in clause (*a*), provided that—

They shall be closed watertight and locked before the ship leaves port;

They shall not be opened during navigation;

The time of opening such scuttles in port and of closing and locking them before the ship leaves port shall be entered in the official log book;

The construction of such scuttles shall be such as effectively to prevent any person opening them without the consent of the master.

(*c*) Scuttles fitted in the positions defined in clause (*a*) shall be provided with efficient metal shutters.

(2) In 'tween-decks above the deck mentioned in paragraph (1) (*a*) of this Article, opening side scuttles may be fitted except in spaces exclusively devoted to the carriage of cargo or coal.

(3) No side scuttles shall be fitted in any spaces which are exclusively devoted to the carriage of cargo or coal.

(4) All side scuttles which are not accessible during navigation shall be fitted with efficient metal covers, and both the glass and the cover shall be kept closed during navigation.

(5) No automatic ventilating scuttles shall be fitted in the ship's side below the margin line.

(6) All inlets and discharges in the side shall be arranged so as to prevent any accidental admission of water into the ship.

(7) The number of scuppers, sanitary discharges, and other similar openings in the side shall be reduced to the minimum, either by making each discharge serve for as many as possible of the sanitary and other pipes or in any other satisfactory manner.

(8) Discharges led through the ship's skin from spaces below the margin line shall be fitted with efficient and accessible means for preventing water from passing inwards. It is permissible to have either one valve, fitted with a means of working it at a distance, or two valves without such gear, one of these valves being always accessible. In either case, the accessibility of the valves or of the means of working shall be assured by their being situated above the deck referred to in paragraph (1) (*a*) of this Article.

(9) In no case shall gangway, cargo, and coaling ports be fitted below the load water-line. None of these ports shall be fitted, even towards the end of the ship, in a space below the lowest 'tween-deck space in the amidship region of which it is permissible to fit such ports.

(10) Gangway, cargo, and coaling ports in the ship's side below the margin line shall be effectively closed and made secure before the ship leaves port, and kept closed during navigation.

(11) The inboard openings of ash-shoots, rubbish-shoots, &c., shall not be lower than the deck referred to in paragraph (1) (*a*) of this

Article. They may be permitted above this deck if fitted, to the satisfaction of the Administration, with covers, which shall be watertight if below the margin line. Such covers shall be so arranged as to prevent their being clogged in any way, and shall be at least as easily and effectively closed as watertight doors and side scuttles.

ARTICLE XVII.

Construction and Tests of Watertight Doors, Side Scuttles, &c.

(1) The design and the materials used in the construction of watertight doors, side scuttles, gangway, coaling, and cargo ports, valves, pipes, ash and rubbish-shoots shall be to the satisfaction of the Administration.

(2) Watertight doors shall be tested by a water pressure equal to that prescribed for the bulkhead where the doors are located. The test shall be made before the vessel is put in service, and either before or after the door is fitted.

ARTICLE XVIII.

Construction and Initial Tests of Watertight Decks, Trunks, &c.

(1) Watertight decks, trunks, and ventilators shall be of the same strength as the watertight bulkhead at the place where they occur. The means used for making them watertight and the arrangements adopted for closing the openings in them shall be to the satisfaction of the Administration. If watertight covers are used for closing these openings, they shall be fitted in place before the ship leaves port, and kept close during navigation.

(2) After completion a hose or flooding test shall be applied to watertight decks and a hose test to watertight trunks. Watertight ventilators and trunks shall be carried at least up to the margin line.

(3) No change shall be made in the structure of watertight decks, trunks and ventilators after the survey without the permission of the Administration.

ARTICLE XIX.

Periodical Operation and Inspection of Watertight Doors, &c.

In all ships defined in Article 2 of the Convention, drills for the operating of watertight doors, side scuttles, valves, and closing mechanisms of scuppers, ash-shoots and rubbish-shoots, shall take place periodically during the voyage. A complete drill shall take place before leaving port, a second as soon as practicable after leaving port, and others thereafter at least once a week during the voyage. Provided that all watertight power doors and hinged doors in main transverse bulkheads in use at sea shall be operated daily.

The watertight doors and all mechanisms and indicators connected therewith, and all valves the closing of which is necessary to make a compartment watertight, shall be periodically inspected at sea, at least once a week.

ARTICLE XX.

Entries in the Official Log Book.

In all ships defined in Article 2 of the Convention, hinged doors, portable plates, side scuttles, gangway, cargo and coaling ports, and other openings, which are required by the preceding rules to be kept

closed during navigation, shall be closed before the ship leaves port. The time of closing, and the time of opening (if permissible under these Regulations), shall be recorded in the official log book.

A record of all drills and inspections required by Article XIX. shall be entered in the official log book with an explicit record of any defects.

Article XXI.

Double Bottoms.

(1) In ships 61 metres (equivalent to 200 feet) and under 76 metres (equivalent to 249 feet) in length, a double bottom shall be fitted at least from the machinery space to the forepeak bulkhead, or as near thereto as practicable.

(2) In ships 76 metres (equivalent to 249 feet) and under 91·5 metres (equivalent to 300 feet) in length, a double bottom shall be fitted at least outside of the machinery space and shall extend to the fore and after peak bulkheads respectively, or as near thereto as practicable.

(3) In ships 91·5 metres (equivalent to 300 feet) and over in length, a double bottom shall be fitted amidships and shall extend to the fore and after peak bulkheads respectively, or as near thereto as practicable.

(4) In ships over 91·5 metres (equivalent to 300 feet) in length, the inner bottom shall be continued out to the ship's side in such manner as to protect the bilges.

(5) In ships over 213 metres (equivalent to 699 feet) in length, the double bottom, for at least half the ship's length amidships and forward to the forepeak bulkhead, shall extend up the ship's sides to a height above the top of the keel not less than 10 per cent. of the ship's moulded breadth.

(6) Wells constructed in the double bottom in connection with the drainage arrangements shall not extend downwards from the inner bottom more than half the depth of the double bottom at that point. A well extending to the outer skin is, however, permitted at the after end of the shaft tunnels of screw ships.

Article XXII.

Going Astern.

Ships shall have sufficient power for going astern to secure proper control of the ship in all circumstances.

Article XXIII.

Auxiliary Steering Apparatus.

Ships shall be provided with an auxiliary steering apparatus, which, however, may be of less power than the main apparatus, and need not be worked by steam or other mechanical power.

Article XXIV.

Initial and Subsequent Surveys of Ships.

Every ship defined in Article 2 of the Convention shall be subjected at least to the following surveys, as specified in detail in Article XXV. below :—

(*A*) A survey before the ship is put in service ;

(*B*) Periodical surveys, once each year ;

(*C*) Additional surveys, as occasion arises.

ARTICLE XXV.

The surveys referred to in the previous Article shall be carried out as follows :—

(*A*) *The survey before the ship is put in service* shall include a complete inspection of the hull, machinery, and equipments, including the outside of the ship's bottom and the inside and outside of the boilers.

This survey shall be such as to ensure that the arrangements, material, and scantlings of the hull, boilers, and their appurtenances, main and auxiliary machinery, life-saving appliances, and other equipments, fully comply with the requirements of this Convention and of the detailed regulations promulgated by the Government of the contracting State to which the ship belongs for ships of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the ship and its equipments is in all respects satisfactory.

(*B*) *The periodical survey* shall include an inspection of the whole of the hull, boilers, machinery, and equipments, including the outside of the ship's bottom. The survey shall be such as to ensure that the ship, as regards the hull, boilers, and their appurtenances, main and auxiliary machinery, life-saving appliances, and other equipments, is in satisfactory condition and fit for the service for which it is intended, and that it complies with the requirements of this Convention, and of the detailed regulations promulgated as a result thereof by the Government of the State to which the ship belongs.

(*C*) *A survey, either general or partial,* according to the circumstances, shall be made every time an accident occurs or a defect is discovered which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, or any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship complies in all respects with the provisions of this Convention and of the detailed regulations promulgated as a result thereof by the Government of the State to which the ship belongs.

ARTICLE XXVI.

The detailed regulations referred to in Article XXV. shall prescribe the requirements to be observed as to the initial and subsequent hydraulic tests to which the main and auxiliary boilers, connections, steam-pipes, high-pressure receivers, and fuel tanks for oil motors are to be submitted, as regards the test pressure to be applied, and the intervals between two consecutive tests.

Main and auxiliary boilers, connections, tanks, receivers, and steam-piping more than 102 millimetres (4 inches) in diameter shall be satisfactorily tested by hydraulic pressure when new and thereafter periodically.

The initial and subsequent tests of the boilers shall take place under the following conditions :—

The test pressure shall be not less than one-and-a-half times the working pressure, or five atmospheres above the working pressure, whichever is the less. If the pressure at the initial test does not exceed the working pressure by more than five atmospheres the interval between two consecutive tests shall not exceed two years. With a higher pressure at the initial test this interval may be increased, and if the pressure at the initial test is double the working pressure, the interval may be six years, but it shall in no case exceed that period.

LIFE SAVING APPLIANCES AND FIRE PROTECTION.

ARTICLE XXVII.

Standard Types of Boats.

The standard types of boats are classified as follows :—

Class.	Section.	Type.
1. (Entirely rigid sides)	A	Open. Internal buoyancy only.
	B	Open. Internal and external buoyancy.
	C	Pontoon. Well deck; fixed watertight bulwarks.
2. (Partially collapsible sides)	A	Open. Upper part of sides collapsible.
	B	Pontoon. Well deck; collapsible watertight bulwarks.
	C	Pontoon. Flush deck; collapsible watertight bulwarks.

Motor boats may be accepted if they comply with the requirements laid down for boats of the first class, but only to a limited number, which number shall be determined by each Government in its own regulations.

No boat may be approved the buoyancy of which depends upon the previous adjustment of one of the principal parts of the hull, or which has not a cubic capacity of at least 3·5 cubic metres (equivalent to 125 cubic feet).

ARTICLE XXVIII.

Boats of the First Class.

The standard types of boats of the first class must satisfy the following conditions :—

1A. *Open Boats with Internal Buoyancy only.*

The buoyancy of a wooden boat of this type shall be provided by watertight air-cases, the total volume of which shall be at least equal to one-tenth of the cubic capacity of the boat.

The buoyancy of a metal boat of this type shall not be less than that required above for a wooden boat of the same cubic capacity, the volume of watertight air-cases being increased accordingly.

1B. *Open Boats with Internal and External Buoyancy.*

The internal buoyancy of a wooden boat of this type shall be provided by watertight air-cases, the total volume of which is at least equal to seven and a half per cent. of the cubic capacity of the boat.

The external buoyancy may be of cork or of any other equally efficient material but such buoyancy shall not be secured by the use of rushes, cork shavings, loose granulated cork or any other loose granulated substance, or by any means dependent upon inflation by air.

If the buoyancy is of cork, its volume, for a wooden boat, shall not be less than thirty-three thousandths of the cubic capacity of the boat ; if of any material other than cork, its volume and distribution shall be such

that the buoyancy and stability of the boat are not less than that of a similar boat provided with buoyancy of cork.

The buoyancy of a metal boat shall be not less than that required above for a wooden boat of the same cubic capacity, the volume of the air-cases and external buoyancy being increased accordingly.

1c. *Pontoon Boats, in which Persons cannot be accommodated below the Deck, having a Well Deck and fixed Watertight Bulwarks.*

The area of the well deck of a boat of this type shall be at least 30 per cent. of the total deck area. The height of the well deck above the water-line at all points shall be at least equal to one-half per cent. of the length of the boat, this height being increased to one-and-a-half per cent. of the length of the boat at the ends of the well.

The freeboard of a boat of this type shall be such as to provide for a reserve buoyancy of at least 35 per cent.

ARTICLE XXIX.

Boats of the Second Class.

The standard types of boats of the second class must satisfy the following conditions :—

2A. *Open Boats having the upper parts of the Sides collapsible.*

A boat of this type shall be fitted both with watertight air-cases and with external buoyancy, the volume of which, for each person which the boat is able to accommodate, shall be at least equal to the following amounts :—

—	Cubic Decimetres.	Cubic Feet.
Air-cases - - - - -	43	1·5
External buoyancy (if of cork) - -	6	0·2

The minimum freeboard of boats of this type is fixed in relation to their length ; it is measured vertically to the top of the solid hull at the side amidships, from the water-level when the boat is loaded.

The freeboard in fresh water shall not be less than following amounts :—

Length of the Boat.		Minimum Freeboard.	
Metres.	Equivalent in Feet to	Millimetres.	Equivalent in Inches to
7·90	26	200	8
8·50	28	225	9
9·15	30	250	10

The freeboard of boats of intermediate lengths is to be found by interpolation.

2B. *Pontoon Boats having a Well Deck and Collapsible Bulwarks.*

All the conditions laid down for boats of type 1C are to be applied to boats of this type, which differ from those of type 1C only in regard to the bulwarks.

2C. *Pontoon Boats, in which the Persons cannot be accommodated below Deck, having a Flush Deck and Collapsible Bulwarks.*

The minimum freeboard of boats of this type is independent of their lengths and depends only upon their depth. The depth of the boat is to be measured vertically from the underside of the garboard strake to the top of the deck at the side amidships and the freeboard is to be measured from the top of the deck at the side amidships to the water-level when the boat is loaded.

The freeboard in fresh water shall not be less than the following amounts, which are applicable without correction to boats having a mean sheer equal to three per cent. of their length :—

Depth of Boat.		Minimum Freeboard.	
Millimetres.	Equivalent in Inches to	Millimetres.	Equivalent in Inches to
310	12	70	$2\frac{3}{4}$
460	18	95	$3\frac{3}{4}$
610	24	130	$5\frac{1}{8}$
760	30	165	$6\frac{1}{2}$

For intermediate depths the freeboard is obtained by interpolation.

If the sheer is less than the standard sheer defined above, the minimum freeboard is obtained by adding to the figures in the table one-seventh of the difference between the standard sheer and the actual mean sheer measured at the stem and stern post; no deduction is to be made from the freeboard on account of the sheer being greater than the standard sheer or on account of the camber of the deck.

Article XXX.

Motor Boats.

When motor boats are accepted, the volume of internal buoyancy and, when fitted, the external buoyancy, must be fixed, having regard to the difference between the weight of the motor and its accessories and the weight of the additional persons which the boat could accommodate if the motor and its accessories were removed.

Article XXXI.

Arrangements for clearing Pontoon Lifeboats of Water.

All pontoon lifeboats shall be fitted with efficient means for quickly clearing the deck of water. The orifices for this purpose shall be such that the water cannot enter the boat through them when they are intermittently submerged. The number and size of the orifices shall be determined for each type of boat by a special test.

For the purpose of this test the pontoon boat shall be loaded with a weight of iron equal to that of its complement of persons and equipment.

In the case of a boat 8·5 metres in length (equivalent to 28 feet) two tons of water shall be cleared from the boat in a time not exceeding the following :—

Type 1C	-	60 seconds.
„ 2B	-	60 „
„ 2C	-	20 „

In the case of a boat having a length greater or less than 8·5 metres (equivalent to 28 feet) the weight of water to be cleared in the same time shall be, for each type, directly proportional to the length of the boat.

ARTICLE XXXII.

Construction of Boats.

Open lifeboats of the first class (types 1A and 1B) must have a mean sheer at least equal to four per cent. of their length.

The air-cases of open boats of the first class shall be placed along the sides of the boat ; they may also be placed at the ends of the boat, but not in the bottom of the boat.

Pontoon lifeboats may be built of wood or metal. If constructed of wood, they shall have the bottom and deck made of two thicknesses with textile material between ; if of metal, they shall be divided into watertight compartments with means of access to each compartment.

All boats shall be fitted for the use of a steering oar.

ARTICLE XXXIII.

Pontoon Rafts.

No type of pontoon raft may be approved unless it satisfies the following conditions :—

1. It should be reversible and fitted with bulwarks of wood, canvas or other suitable material on both sides. These bulwarks may be collapsible.
2. It should be of such size, strength and weight that it can be handled without mechanical appliances, and, if necessary, be thrown from the vessel's deck.
3. It should have not less than 85 cubic decimetres (equivalent to three cubic feet) of air-cases or equivalent buoyancy for each person whom it can accommodate.
4. It should have a deck area of not less than 3,720 square centimetres (equivalent to four square feet) for each person whom it can accommodate and the platform should not be less than 15 centimetres (equivalent to six inches) above the water level when the raft is loaded.
5. The air-cases or equivalent buoyancy should be placed as near as possible to the sides of the raft.

ARTICLE XXXIV.

Capacity of Boats and Pontoon Rafts.

1. The number of persons which a boat of one of the standard types or a pontoon raft can accommodate is equal to the greatest whole number obtained by dividing the capacity in cubic metres (or cubic feet), or the surface in square metres (or square feet), of the boat or of the raft by the standard unit of capacity, or unit of surface (according to circumstances), defined below for each type.

2. The cubic capacity in metres of a boat in which the number of persons is determined by the surface shall be assumed to be 0·283 times the number of persons which it is authorised to carry.

3. The standard units of capacity and surface are as follows :—

Unit of Capacity.	Cubic Metres.	Equivalent in Cubic Feet.
Open boats, Type 1A	0·283	10
Open boats, Type 1B	0·255	9

Unit of Surface.	Square Metres.	Equivalent in Square Feet.
Open boats, Type 2A Pontoon boats, Type 2C	0·325	3½
Pontoon boats, Type 1C Pontoon boats, Type 2B	0·302	3¼

4. The Government of each High Contracting Party may accept, in place of 0·302 (3¼), a smaller divisor, if it is satisfied after trial that the number of persons for whom there is seating accommodation in the pontoon boat in question is greater than the number obtained by applying the above divisor, provided always that the divisor adopted in place of 0·302 (3¼) may never be less than 0·279 (3).

The Government which accepts a lower divisor in this way shall communicate to the Governments of the other Contracting Parties particulars of the trial and drawings of the pontoon boat in question.

Article XXXV.

Capacity Limits.

Pontoon boats and pontoon rafts shall never be marked with a number of persons greater than that obtained in the manner specified in these Regulations.

This number shall be reduced :—

(1) When it is greater than the number of persons for which there is proper seating accommodation, the latter number being determined in such a way that the persons when seated do not interfere in any way with the use of the oars.

(2) When, in the case of boats other than those of the first two sections of the first class, the freeboard when the boat is fully loaded is less than the freeboard laid down for each type respectively. In such circumstances the number shall be reduced until the freeboard when the boat is fully loaded is at least equal to the standard freeboard laid down above.

In boats of types 1C and 2B the raised part of the deck at the sides may be regarded as affording seating accommodation.

Article XXXVI.

Equivalents for and Weight of the Persons.

In the tests for determining the number of persons which a boat or pontoon raft can accommodate each person shall be assumed to be an adult person wearing a life-jacket.

In verifications of freeboard the pontoon boats shall be loaded with a weight of at least 75 kilogrammes (165 lbs.) for each adult person that the pontoon boat is authorised to carry.

In all cases two children under 12 years of age shall be reckoned as one person.

ARTICLE XXXVII.

Cubic capacity of Open Boats of the First Class.

1. The cubic capacity of an open boat of type 1A or 1B shall be determined by Stirling's (Simpson's) Rule or by any other method giving the same degree of accuracy. The capacity of a square-sterned boat shall be calculated as if the boat had a pointed stern.

2. For example, the capacity in cubic metres (or cubic feet) of a boat, calculated by the aid of Stirling's Rule, may be considered as given by the following formula :—

$$\text{Capacity} = \frac{l}{12}(4A + 2B + 4C)$$

l being the *length* of the boat in metres (or feet) from the inside of the planking or plating at the stem to the corresponding point at the stern post; in the case of a boat with a square stern the length is measured to the inside of the transom.

A, B, C denote respectively the *areas of the cross-sections* at the quarter length forward, amidships, and the quarter length aft, which correspond to the three points obtained by dividing l into four equal parts (the areas corresponding to the two ends of the boat are considered negligible).

The areas A, B, C shall be deemed to be given in square metres (or square feet) by the successive application of the following formula to each of the three cross-sections :—

$$\text{Area} = \frac{h}{12}(a + 4b + 2c + 4d + e)$$

h being the *depth* measured in metres (or in feet) inside the planking or plating from the keel to the level of the gunwale, or, in certain cases, to a lower level, as determined hereafter.

a, b, c, d, e denote the horizontal *breadths* of the boat measured in metres (or in feet) at the upper and lower points of the depth and at the three points obtained by dividing h into four equal parts (a and e being the breadths at the extreme points, and c at the middle point, of h).

3. If the sheer of the gunwale, measured at the two points situated at a quarter of the length of the boat from the ends, exceeds 1 per cent. of the length of the boat, the depth employed in calculating the area of the cross-sections A or C shall be deemed to be the depth amidships plus 1 per cent. of the length of the boat.

4. If the depth of the boat amidship exceeds 45 per cent. of the breadth, the depth employed in calculating the area of the midship cross-section B shall be deemed to be equal to 45 per cent. of the breadth, and the depth employed in calculating the areas of the quarter length sections A and C is obtained by increasing this last figure by an amount equal to 1 per cent. of the length of the boat, provided that in no case shall the depths employed in the calculation exceed the actual depths at these points.

5. If the depth of the boat is greater than 122 centimetres (equivalent to 4 feet) the number of persons given by the application of this rule

shall be reduced in proportion to the ratio of 122 centimetres to the actual depth, until the boat has been satisfactorily tested afloat with that number of persons on board all wearing life-jackets.

6. Each Administration shall impose, by suitable formulæ, a limit for the number of persons allowed in boats with very fine ends and in boats very full in form.

7. Each Administration reserves the right to assign to a boat a capacity equal to the product of the length, the breadth and the depth multiplied by 0·6 if it is evident that this formula does not give a greater capacity than that obtained by the above method. The dimensions shall then be measured in the following manner :—

Length : From the intersection of the outside of the planking with the stem to the corresponding point at the stern post or, in the case of a square sterned boat, to the after side of the transom.

Breadth : From the outside of the planking at the point where the breadth of the boat is greatest.

Depth : Amidships inside the planking from the keel to the level of the gunwale, but the depth used in calculating the cubic capacity may not in any case exceed 45 per cent. of the breadth.

In all cases the shipowner has the right to require that the cubic capacity of the boat shall be determined by exact measurement.

8. The cubic capacity of a motor boat is obtained from the gross capacity by deducting a volume equal to that occupied by the motor and its accessories.

Article XXXVIII.

Deck area of Pontoon Boats and Open Boats of the Second Class

1. The area of the deck of a pontoon boat of type 1C, 2B, or 2C shall be determined by the method indicated below or by any other method giving the same degree of accuracy. The same rule is to be applied in determining the area within the fixed bulwarks of a boat of type 2A.

2. For example, the surface in square metres (or square feet) of a boat may be deemed to be given by the following formula :—

$$\text{Area} = \frac{l}{12}(2a + 1{\cdot}5b + 4c + 1{\cdot}5d + 2e).$$

l being the *length* in metres (or in feet) from the intersection of the outside of the planking with the stem to the corresponding point at the stern post.

a, b, c, d, e denote the *horizontal breadths* in metres (or in feet) outside the planking at the points obtained by dividing l into four equal parts and subdividing the foremost and aftermost parts into two equal parts (a and e being the breadths at the extreme subdivisions, c at the middle point of the length, and b and d at the intermediate points).

Article XXXIX.

Marking of Boats and Pontoon Rafts.

The dimensions of the boat and the number of persons which it is authorised to carry, shall be marked on it in clear permanent characters. These marks shall be specifically approved by the officers appointed to inspect the ship.

Pontoon rafts shall be marked with the number of persons in the same manner.

ARTICLE XL.

Equipment of Boats and Pontoon Rafts.

1. The normal equipment of every boat shall consist of :—

(*a*) A single banked complement of oars and two spare oars ; one set and a half of thole pins or crutches ; a boat hook.

(*b*) Two plugs for each plug-hole (plugs are not required when proper automatic valves are fitted) ; a bailer and a galvanised iron bucket.

(*c*) A tiller or yoke and yoke lines.

(*d*) Two hatchets.

(*e*) A lamp filled with oil and trimmed.

(*f*) A mast or masts with one good sail at least, and proper gear for each. (This does not apply to motor lifeboats.)

(*g*) A suitable compass.

Pontoon lifeboats will have no plug-hole, but shall be provided with at least two bilge-pumps.

In the case of a ship defined in Article 2 of the Convention, which carries passengers in the North Atlantic, all the boats need not be equipped with masts, sails, and compasses, if the ship is provided with a radiotelegraph installation.

2. The normal equipment of every approved pontoon raft shall consist of :—

(*a*) Four oars.

(*b*) Five rowlocks.

(*c*) A self-igniting lifebuoy light.

3. In addition every boat and every pontoon raft shall be equipped with :—

(*a*) A life-line becketted round the outside.

(*b*) A sea-anchor.

(*c*) A painter.

(*d*) A vessel containing five litres (equivalent to one gallon) of vegetable or animal oil. The vessel shall be so constructed that the oil can be easily distributed on the water, and so arranged that it can be attached to the sea-anchor.

(*e*) A watertight receptacle containing one kilogramme (equivalent to two pounds avoirdupois) of provisions for each person.

(*f*) A watertight receptacle containing one litre (equivalent to one quart) of fresh water for each person.

(*g*) A number of self-igniting "red lights" and a watertight box of matches.

ARTICLE XLI.

Davits.

Each set of davits shall have a boat of the first class attached to it, provided that the number of open boats of the first class attached to davits shall not be less than the minimum number fixed by the table which follows.

If it is neither practicable nor reasonable to place on a ship the minimum number of sets of davits required by the rules, the Government

of the State to which the ship belongs may authorise a smaller number of sets of davits to be fitted, provided always that this number shall never be less than the minimum number of open boats of the first class required by the rules.

If a large proportion of the persons on board are accommodated in boats whose length is greater than 15 metres (equivalent to 50 feet) a further reduction in the number of sets of davits may be allowed exceptionally if the Administration concerned is satisfied that the arrangements are in all respects satisfactory.

In all cases in which a reduction in the minimum number of sets of davits or other equivalent appliances required by the rules is allowed, the owner of the ship in question shall be required to prove, by a test made in the presence of a surveyor appointed by the Government, that all the boats can be efficiently launched in a minimum time.

The conditions of this test shall be as follows :—

1. The ship is to be upright and in smooth water ;
2. The time is the time required from the beginning of the removal of the boat covers, or any other operation necessary to prepare the boats for lowering, until the last boat or pontoon raft is afloat ;
3. The number of men employed in the whole operation must not exceed the total number of boat hands that will be carried on the vessel under normal service conditions ;
4. Each boat when being lowered must have on board at least two men and its full equipment as required by the rules.

The time allowed for putting all the boats into the water shall be fixed by a formula to be determined by the Government of each High Contracting Party, each Government undertaking to communicate its decision to the Governments of the other Contracting Parties.

Article XLII.

Additional Boats and Pontoon Rafts.

If the lifeboats attached to davits do not provide sufficient accommodation for all the persons on board, additional lifeboats of one of the standard types shall be provided. This addition shall bring the total capacity of the boats on the ship at least up to the greater of the two following amounts :—

(*a*) The minimum capacity required by these Regulations ;

(*b*) A capacity sufficient to accommodate seventy-five per cent. of the persons on board.

The remainder of the accommodation required shall be provided either in boats of Class 1 or Class 2, or in pontoon rafts of an approved type.

Article XLIII.

Minimum Number of Davits and of Open Boats of the First Class.— Minimum Boat Capacity.

The following table fixes, according to the length of the ship :—

(A) *The minimum number of sets of davits* to be provided, to each of which must be attached a boat of the first class in accordance with Chapter VI. Life Saving Appliances, Article 47, of the Convention, and Article XLI. above.

(B) *The minimum total number of open boats of the first class*, which must be attached to davits, in accordance with Article XLI. above.

(C) *The minimum boat capacity required*, including the boats attached to davits and the additional boats, in accordance with Article XLII. above.

Registered Length of the Ship.						(A.) Minimum Number of Sets of Davits.	(B.) Minimum Number of Open Boats of the First Class.	(C.) Minimum Capacity of Lifeboats.	
Metres.			Feet.					Cubic Metres.	Cubic Feet.
31 and under	37		100 and under	120		2	2	28	980
37 „	43		120 „	140		2	2	35	1,220
43 „	49		140 „	160		2	2	44	1,550
49 „	53		160 „	175		3	3	53	1,880
53 „	58		175 „	190		3	3	68	2,390
58 „	63		190 „	205		4	4	78	2,740
63 „	67		205 „	220		4	4	94	3,330
67 „	70		220 „	230		5	4	110	3,900
70 „	75		230 „	245		5	4	129	4,560
75 „	78		245 „	255		6	5	144	5,100
78 „	82		255 „	270		6	5	160	5,640
82 „	87		270 „	285		7	5	175	6,190
87 „	91		285 „	300		7	5	196	6,930
91 „	96		300 „	315		8	6	214	7,550
96 „	101		315 „	330		8	6	235	8,290
101 „	107		330 „	350		9	7	255	9,000
107 „	113		350 „	370		9	7	273	9,630
113 „	119		370 „	390		10	7	301	10,650
119 „	125		390 „	410		10	7	331	11,700
125 „	133		410 „	435		12	9	370	13,060
133 „	140		435 „	460		12	9	408	14,430
140 „	149		460 „	490		14	10	451	15,920
149 „	159		490 „	520		14	10	490	17,310
159 „	168		520 „	550		16	12	530	18,720
168 „	177		550 „	580		16	12	576	20,350
177 „	186		580 „	610		18	13	620	21,900
186 „	195		610 „	640		18	13	671	23,700
195 „	204		640 „	670		20	14	717	25,350
204 „	213		670 „	700		20	14	766	27,050
213 „	223		700 „	730		22	15	808	28,560
223 „	232		730 „	760		22	15	854	30,180
232 „	241		760 „	790		24	17	908	32,100
241 „	250		790 „	820		24	17	972	34,350
250 „	261		820 „	855		26	18	1,031	36,450
261 „	271		855 „	890		26	18	1,097	38,750
271 „	282		890 „	925		28	19	1,160	41,000
282 „	293		925 „	960		28	19	1,242	43,880
293 „	303		960 „	995		30	20	1,312	46,350
303 „	314		995 „	1030		30	20	1,380	48,750

When the length of the ship exceeds 314 metres (equivalent to 1,030 feet) the Government of the State to which the ship belongs shall determine the minimum number of sets of davits and of open boats of the first class for that ship; full particulars of its decision shall be communicated to the Governments of the other Contracting Parties.

Article XLIV.

Handling of Boats and Rafts.

The arrangements for launching boats on either side of the ship may be made either by means of appliances for transferring the boats or rafts from one side of the deck to the other, or by stowing some of the boats not under davits, or rafts, in rows across the deck or by any other equally satisfactory means.

The davits and other appliances for lowering the boats shall be placed on one or more decks in such positions that the handling of the boats can be satisfactorily carried out. They shall not be placed in the bows of the ship or in places where the proximity of the propellers might constitute a danger to the boats at the time of launching.

Boats may only be stowed on more than one deck on condition that proper measures are taken to prevent boats on an upper deck damaging those stowed below them.

If several boats are served by the same set of davits arrangements shall be made to prevent the falls fouling when they are recovered.

Article XLV.

Life-Jackets and Life-Buoys.

1. A life-jacket shall satisfy the following conditions :—

(*a*) It shall be of approved material and construction ;

(*b*) It shall be capable of supporting in freshwater for 24 hours 6·8 kilogrammes of iron (equivalent to 15 pounds avoirdupois).

Life-jackets the buoyancy of which depends on air compartments are prohibited.

2. A life-buoy shall satisfy the following conditions :—

(*a*) It shall be of solid cork or any other equivalent material ;

(*b*) It shall be capable of supporting in freshwater for 24 hours at least 14 kilogrammes (equivalent to 31 pounds avoirdupois) of iron.

Life-buoys filled with rushes, cork shavings or granulated cork, or any other loose granulated material, or whose buoyancy depends upon air compartments which require to be inflated, are prohibited.

3. The minimum number of life-buoys with which ships are to be provided is fixed by the following table :—

Length of the Ship.		Minimum Number of Buoys.
Metres.	Equivalent in Feet.	
Under 122	Under 400	12
122 and under 183	400 and under 600	18
183 „ 244	600 „ 800	24
244 and over	800 and over	30

4. All the buoys shall be fitted with beckets securely seized. At least one buoy on each side shall be fitted with a life-line of at least 27·5 metres (15 fathoms) in length. The number of luminous buoys shall be not less than one-half of the total number of life-buoys, and in no case less than six. The lights shall be efficient self-igniting lights which cannot be extinguished in water, and they shall be kept near the buoys to which they belong, with the necessary means of attachment.

5. All the life-buoys and life-jackets shall be so placed as to be readily accessible to the persons on board; their position shall be plainly indicated so as to be known to the persons concerned.

The life-buoys shall always be capable of being rapidly cast loose, and shall not be permanently secured in any way.

ARTICLE XLVI.

Exemptions applicable to Existing Ships.

The exemptions allowed in the case of existing ships, as provided by Article 52 of the Convention, are as follows:—

(*a*) Until the 1st January, 1920, boats and rafts which have been accepted by the Administration of one of the Contracting States on board an existing ship may be accepted, respectively, in lieu of the lifeboats and pontoon life-rafts prescribed by this Convention.

(*b*) Until the 1st January, 1920, the requirements that pontoon lifeboats should have the bottom and deck made in two thicknesses with textile material between, and that they should have the minimum freeboard specified need not be insisted upon in the case of pontoon boats accepted in accordance with the preceding paragraph (*a*).

(*c*) In the case of ships between 75 metres (245 feet) and 140 metres (460 feet) in length, the minimum number of sets of davits may be reduced by one, below the figure given in column B. of the table in Article XLIII. above. In the case of ships of 140 metres (460 feet) or more in length this number may be reduced by one on each side. These reductions shall only be allowed if proper provision is made for launching the boats.

(*d*) The provisions of Articles 42 and 49 of the Convention, respecting the launching of boats, shall not be applicable to existing ships.

ARTICLE XLVII.

Certificated Lifeboatmen.

In order to obtain the special lifeboatman's certificate provided for in Chapter VI., Life Saving Appliances, Article 54, of the Convention, the applicant must prove that he has been trained in all the operations connected with launching lifeboats and the use of oars; that he is acquainted with the practical handling of the boats themselves; and, further, that he is capable of understanding and answering the orders relative to lifeboat service.

There shall be for each boat or raft a number of lifeboatmen at least equal to that specified in the following table :—

If the boat or raft carries—	The minimum number of certificated lifeboatmen shall be—
Less than 61 persons	3
From 61 to 85 persons	4
„ 86 to 110 „	5
„ 111 to 160 „	6
„ 161 to 210 „	7

and, thereafter, one additional certificated lifeboatman for each additional 50 persons.

Article XLVIII.

Manning of Boats.

An officer, petty officer, or seaman shall be placed in charge of each boat or pontoon raft ; he shall have a list of its crew, and shall see that the men placed under his orders are acquainted with their several duties and stations.

A man capable of working the motor shall be assigned to each motor boat.

The duty of seeing that the boats, pontoon rafts, and other life-saving appliances are at all times ready for use shall be assigned to one or more officers.

Article XLIX.

Fire Detection and Extinction.

1. A continuous patrol system shall be organised so that any outbreak of fire may be promptly detected.

2. Every ship shall be provided with powerful pumps operated by steam or other means. On ships of less than 4,000 tons there shall be two, and on larger ships three of these pumps. The pumps shall be capable of delivering a sufficient quantity of water in two powerful jets simultaneously in any given part of the vessel, and shall be available for immediate use before the vessel leaves port.

3. The service pipes shall permit of two powerful jets of water being simultaneously directed on any given part of a deck occupied by passengers and crew, when the watertight and fireproof doors are closed. The service pipes and hoses shall be of ample size and made of suitable material. The branches of the pipes shall be so placed on each deck that the fire hose can be easily coupled to them.

4. Provision shall be made whereby both two powerful jets of water and a sufficient supply of steam may be conveyed to every space filled with cargo. Provision for the supply of steam need not be required in ships of less than 1,000 tons.

5. A sufficient number of portable fluid fire extinguishers shall be provided, at least two being carried in each machinery space.

The Governments of the High Contracting Parties may accept other types of extinguishers, provided that it is evident after trial that such extinguishers are as effective as the type referred to above. A Government which accepts a new type of extinguisher shall send a description of the apparatus and particulars of the trial to the Governments of the other Contracting Parties.

6. Two equipments, consisting of a smoke helmet and a safety lamp, shall be carried on board and kept in two different places.

7. All the fire-extinguishing appliances shall be thoroughly examined at least once each year by a surveyor appointed by the Government.

ARTICLE L.

Muster List.

The muster list shall assign duties to the different members of the crew in connexion with :—

(*a*) The closing of the watertight doors, valves, &c.
(*b*) The equipment of the boats and rafts generally.
(*c*) The launching of the boats attached to davits.
(*d*) The general preparation of the other boats and the pontoon rafts.
(*e*) The muster of the passengers.
(*f*) The extinction of fire.

The muster list shall assign to the members of the stewards' department their several duties in relation to the passengers at a time of emergency. These duties shall include :—

(*a*) Warning the passengers.
(*b*) Seeing that they are dressed and have put on their life-jackets in a proper manner.
(*c*) Assembling the passengers.
(*d*) Keeping order in the passages and on the stairways, and, generally, controlling the movements of the passengers.

The muster list shall specify definite alarm signals for calling all the crew to their boat and fire stations, and shall give full particulars of these signals.

ARTICLE LI.

Musters and Drills.

Musters of the crew at their boat and fire stations, followed by boat and fire drills respectively, shall be held at least once a fortnight, either in port or at sea. An entry shall be made in the official log book of these drills, or of the reasons why they could not be held.

Different groups of boats shall be used in turn at successive boat drills. The drills and inspections shall be so arranged that the crew thoroughly understand and are practised in the duties they have to perform, and that all the boats and pontoon rafts on the ship with the gear appertaining to them are always ready for immediate use.

SAFETY CERTIFICATES.

Article LII.

Standard Safety Certificate.

(Official Seal) (Country)

SAFETY CERTIFICATE.

Issued under the provisions of the
International Convention for Safety of Life at Sea.
Signed at London, 20th January, 1914.

Name of Ship.	Signal Letters (International Code).	Port of Registry.	Gross Tonnage.

(Name.)

I, the undersigned * certify :

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the International Convention referred to above ;

II. That the survey showed that the ship complied with the requirements of the said Convention as regards :

(1) the hull, watertight subdivision, main and auxiliary boilers, and machinery :—

Convention, Article 17, and Annexed Regulations, Article X.	(To be filled up only on the request of the owner.)	
Lengths.	Metres.	Equivalent in Feet to
(1) of the ship for which this certificate is issued - - - - - - - -		
(2) of the standard ship (Column C of the Table in Art. VIII. of the Regulations) the factor of subdivision of which has been employed in the case of the ship for which this certificate is issued - -		

(2) the boats and life-saving appliances :—

_____ boats capable of accommodating _____ persons.
_____ rafts „ „ „
_____ life-buoys.
_____ life-jackets.

(3) Radiotelegraph installation :—

	Class and Numbers required by Articles 33 and 34 of the said Convention.	Actual Class and Numbers.
Class of ship - - - - - -	..	..
Number of Operators of the 1st Class -	..	..
„ „ 2nd Class -	..	..
„ Certificated Watchers - -	..	..

III. That in all other respects the ship complies with the requirements of the said Convention, so far as those requirements apply thereto.

This certificate is issued under the authority of the Government. It will remain in force until .

The undersigned declares that he is duly authorised by the said Government to issue this certificate.

(Signature)

Issued at the day of .

In witness whereof the Plenipotentiaries have signed hereafter.

Done at London, the 20th January, 1914.

VON KOERNER.
SEELIGER.
SCHÜTT.
RIESS.
PAGEL.
SCHRADER.
BEHM.

G. FRANCKENSTEIN.
SCHRECKENTHAL.
DUNAY.

E. A. PIERRARD.
CH. LE JEUNE.
LOUIS FRANCK.

EMIL KROGH.
V. TOPSÖE-JENSEN.

RAFAEL BAUSÁ.

JOSHUA W. ALEXANDER.
J. HAMILTON LEWIS.
EUGENE T. CHAMBERLAIN.
ELLSWORTH P. BERTHOLF.
WASHINGTON LEE CAPPS.
GEORGE F. COOPER.
HOMER L. FERGUSON.
ALFRED GILBERT SMITH.

WM. H. G. BULLARD.
GEO. UHLER.

GUERNIER.

MERSEY.
ERNEST G. MOGGRIDGE.
A. DENNY.
NORMAN HILL.
J. H. BILES.
H. ACTON BLAKE.
ALFRED H. F. YOUNG.
C. HIPWOOD.
W. DAVID ARCHER.

R. MUIRHEAD COLLINS.

ALEXANDER JOHNSTON.

THOS. MACKENZIE.

CARLO BRUNO.
VITTORIO RIPA DI MEANA.
GUSTAVO TOSTI.

HARALD PEDERSEN.
J. BRUHN.
JENS EVANG.
ad referendum.

J. V. Wierdsma.
H. S. J. Maas.
A. D. Muller.
Wilmink.
J. W. G. Coops.

N. De Etter.

C. O. Olsen.
Nils Gustaf Nilsson.

FINAL PROTOCOL.

At the moment of signing the Convention on Safety of Life at Sea concluded this day, the undersigned Plenipotentiaries have agreed on the following :—

I.

The voyages referred to in Article 2 of this Convention include those from a port situated in a Colony, Possession or Protectorate, in which the Convention is in force, to a port situated outside that country, and conversely.

II.

As regards the ratification of this Convention, a special delay is allowed to the Danish Government which shall have the right of ratifying it until April 1st, 1915.

III.

This Convention shall not apply to ships registered in a Colony, Possession or Protectorate in which the Convention is not in force.

In witness whereof the Plenipotentiaries have drawn up this Final Protocol which shall have the same force and the same validity as if the provisions thereof had been inserted in the text of the Convention to which it belongs and they have signed it in a single copy which shall remain deposited in the archives of the British Government and of which a copy shall be sent to each Party.

Done at London the 20th January, 1914.

Von Koerner.
Seeliger.
Schütt.
Riess.
Pagel.
Schrader.
Behm.

G. Franckenstein.
Schreckenthal.
Dunay.

E. A. Pierrard.
Ch. Le Jeune.
Louis Franck.

Emil Krogh.
V. Topsöe-Jensen.

Rafael Bausá.

Joshua W. Alexander.
J. Hamilton Lewis.
Eugene T. Chamberlain.
Ellsworth P. Bertholf.
Washington Lee Capps.
George F. Cooper.
Homer L. Ferguson.
Alfred Gilbert Smith.
Wm. H. G. Bullard.
Geo. Uhler.

Guernier.

Mersey.
Ernest G. Moggridge.
A. Denny.
Norman Hill.
J. H. Biles.

H. ACTON BLAKE. ALFRED H. F. YOUNG. C. HIPWOOD. W. DAVID ARCHER.	HARALD PEDERSEN. J. BRUHN. JENS EVANG.	*ad referendum.*
R. MUIRHEAD COLLINS.	J. V. WIERDSMA. H. S. J. MAAS.	
ALEXANDER JOHNSTON.	A. D. MULLER. WILMINK. J. W. G. COOPS.	
THOS. MACKENZIE.		
CARLO BRUNO. VITTORIO RIPA DI MEANA. GUSTAVO TOSTI.	N. DE ETTER.	
	C. O. OLSEN. NILS GUSTAF NILSSON.	

SECOND SCHEDULE.

Sections 2, 5.

PART I.

WIRELESS DISTRESS CALL.

The following signal repeated at short intervals—

▪ ▪ ▪ ▬ ▬ ▬ ▪ ▪ ▪

WIRELESS DANGER CALL.

The following signal repeated at short intervals ten times at full power—

▬ ▬ ▬ (T T T)

the call to be followed after an interval of one minute by the message repeated three times at intervals of ten minutes.

Section 7.

PART II.

URGENT AND IMPORTANT SIGNALS.

You are standing into danger - - -	▪ ▪ ▬
I want assistance; remain by me - - -	▪ ▪ ▪ ▬
Have encountered ice - - - -	▪ ▬ ▬
Your lights are out (*or* burning badly) - -	▪ ▬ ▬ ▪
The way is off my ship; you may feel your way past me - - - - - -	▪ ▬ ▪
Stop (*or* heave to); I have something important to communicate - - - - -	▪ ▬ ▪ ▪
I am disabled; communicate with me - -	▪ ▪ ▬ ▪

THIRD SCHEDULE.

Part I.

Section 9.

Articles 17 to 24 and 27 and 28, together with Articles V. to XXIII. of the Regulations annexed to the Convention.

Part II.

Section 10.

Articles 25 and 26 of the Convention, and the second paragraph of subsection (6), the last sentence of paragraph (*a*), and paragraph (*b*) of subsection (8), subsections (9) and (10), subsection (13) (so far as it relates to regular inspection) of Article XV., the proviso contained in paragraph (*b*) of subsection (1), so much of subsection (4) as relates to side scuttles being kept closed during navigation, and subsection (10) of Article XVI., the provision as to watertight covers contained in Article XVIII., and Articles XIX. and XX. of the Regulations annexed to the Convention.

Part III.

Section 11.

Articles 39 to 52 of the Convention, and Articles XXVII. to XLV. of the Regulations annexed to the Convention.

Part IV.

Section 12.

Articles 53 to 56 of the Convention, and Articles XLVII. to LI. of the Regulations annexed to the Convention.

Part V.

Section 16.

Articles 33 to 36.

FOURTH SCHEDULE.

Section 18.

Standard Safety Certificate.

(Official Seal) (Country)

SAFETY CERTIFICATE.

Issued under the Provisions of the International Convention for Safety of Life at Sea, signed at London, 20th January 1914.

Name of Ship.	Signal Letters (International Code).	Port of Registry.	Gross Tonnage.

I, the undersigned (*Name*) certify :—

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the International Convention referred to above :

II. That the survey showed that the ship complied with the requirements of the said Convention as regards—

(1) The hull, watertight subdivision, main and auxiliary boilers and machinery :—

Convention, Article 17, and annexed Regulations, Article X.	(To be filled up only on the request of the owner.)	
Lengths.	Metres.	Equivalent in feet to
(1) of the ship for which this certificate is issued - - - - - - - -		
(2) of the standard ship (Column C of the Table in Art. VIII. of the Regulations) the factor of subdivision of which has been employed in the case of the ship for which this certificate is issued - -		

(2) the boats and life-saving appliances :—

_____ boats capable of accommodating _____ persons.

_____ rafts „ „ _____ „

_____ life-buoys.

_____ life-jackets.

(3) Wireless telegraphy installation :—

—	Class and Numbers required by Articles 33 and 34 of the said Convention.	Actual Class and Numbers.
Class of ship - - - - - - -	..	..
Number of operators of the 1st class -	..	..
Number of „ „ 2nd „	..	..
Number of certificated watchers - -	—	..

III. That in all other respects the ship complies with the requirements of the said Convention, so far as those requirements apply thereto.

This certificate is issued under the authority of the Government. It will remain in force until .

The undersigned declares that he is duly authorised by the said Government to issue this certificate.

(Signature)

Issued at the day of .

FIFTH SCHEDULE.

Sections 24, 25.

British India.

The Dominion of Canada.

The Commonwealth of Australia (including Papua and Norfolk Island).

The Dominion of New Zealand.

The Union of South Africa.

Newfoundland.

CHAPTER 51.

An Act to enable the Board of Trade during the present War to take possession of Foodstuffs unreasonably withheld. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Power for Board of Trade to take possession of foodstuffs unreasonably withheld.

1. If the Board of Trade are of opinion that any foodstuff is being unreasonably withheld from the market, they may, if so authorised by His Majesty's Proclamation (made generally or as respects any particular kind of foodstuff) and in manner provided by the Proclamation, take possession of any supplies of foodstuff to which the Proclamation relates, paying to the owners of the supplies such price as may in default of agreement be decided to be reasonable, having regard to all the circumstances of the case, by the arbitration of a judge of the High Court selected by the Lord Chief Justice of England.

Short title and duration.

2.—(1) This Act may be cited as the Unreasonable Withholding of Food Supplies Act, 1914.

(2) This Act shall have effect only while a state of war exists between His Majesty and any foreign power.

CHAPTER 52.

An Act to give the Board of Agriculture and Fisheries in Agricultural districts and the Local Government Board elsewhere powers with respect to Housing and to make similar provision for Scotland. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers as to acquisition of land and buildings for housing purposes.

1.—(1) The Board of Agriculture and Fisheries in agricultural districts and the Local Government Board elsewhere shall have power during the period of one year from the passing of this Act to acquire, with the consent of the Treasury and with the concurrence of the Development Commissioners, land and buildings for housing purposes, and, with the consent of the Treasury, shall have power to dispose of any land or buildings so acquired.

(2) The Board of Agriculture and Fisheries and the Local Government Board respectively shall have power to do all other things which may appear to them necessary or desirable for housing purposes in connection with any land or buildings so acquired, and to make any arrangements for housing purposes with any local authority or authorised society within the meaning of this Act:

Provided that neither the Board of Agriculture and Fisheries nor the Local Government Board shall, in the exercise of their powers under this Act, in any case themselves build any dwellings unless they are satisfied after holding a public local inquiry that in that case there is an insufficiency of dwelling accommodation for the working classes, or that the existing accommodation is unsuitable and that dwelling accommodation cannot be otherwise satisfactorily provided.

Payment of expenses incurred under the Act.

2.—(1) The Treasury shall, as and when they think fit, issue out of the Consolidated Fund or the growing produce thereof such sums as may be required for the purpose of meeting any expenditure which is, in the opinion of the Treasury, of a capital nature, and which is incurred with the consent or approval of the Treasury, not exceeding in the aggregate four million pounds, and any expenses incurred for those purposes by the Board of Agriculture and Fisheries or the Local Government Board not being, in the opinion of the Treasury, of the nature of capital expenditure, shall be defrayed out of moneys provided by Parliament, and any receipts arising in connection therewith shall be paid into the Exchequer.

(2) The Treasury may, if they think fit, for the purpose of providing money for sums so authorised to be issued out of the Consolidated Fund, or for repaying to that fund any part of

the sums so issued, borrow by means of terminable annuities for a term not exceeding thirty years; and all sums so borrowed shall be paid into the Exchequer.

(3) The said annuities shall be paid out of moneys provided by Parliament, and if those moneys are insufficient, shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

(4) The Treasury may also, if they think fit, for the same purpose, borrow money by means of the issue of Exchequer Bonds; and the Capital Expenditure (Money) Act, 1904, shall have effect as if this Act had been in force at the time of the passing of that Act. 4 Edw. 7. c. 21.

(5) The Treasury shall, within six months after the end of every financial year, cause to be made out and laid before the House of Commons accounts showing the amount of any expenditure of a capital nature incurred by the Board of Agriculture and Fisheries and the Local Government Board respectively, under this Act, and of the money borrowed and the securities created under this Act; and any such accounts of expenditure shall be audited and reported upon by the Comptroller and Auditor-General as appropriation accounts in manner provided by the Exchequer and Audit Departments Act, 1866. 29 & 30 Vict. c. 39.

Interpretation, application, and short title.

3.—(1) In this Act, unless the context otherwise requires,—

The expression "housing purposes" means the provision, maintenance, improvement, and management of dwellings and gardens and other works or buildings for or for the convenience of persons belonging to the working classes; and

The expression "local authority" means the local authority for the purposes of Part III. of the Housing of the Working Classes Act, 1890; and 53 & 54 Vict. c. 70.

The expression "authorised society" means any society, company, or body of persons approved by the Treasury, whose objects include the erection, improvement, or management of dwellings for working classes, which does not trade for profit, or whose constitution forbids the payment of any interest or dividend at a rate exceeding five per cent. per annum.

(2) In the application of this Act to Scotland the Local Government Board for Scotland shall be substituted for the Local Government Board, and the Board of Agriculture for Scotland shall be substituted for the Board of Agriculture and Fisheries.

(3) This Act shall not apply to Ireland.

(4) This Act may be cited as the Housing (No. 2) Act, 1914.

CHAPTER 53.

An Act to amend and extend the law relating to the Appointment of Special Constables in Scotland.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and citation.

1. This Act may be cited as the Special Constables (Scotland) Act, 1914, and shall apply to Scotland only.

Appointment of special constables in counties. 55 & 56 Vict. c. 55.

20 & 21 Vict. c. 72.

2. Sections ninety-six, ninety-seven and ninety-eight of the Burgh Police (Scotland) Act, 1892 (herein-after referred to as the Act of 1892), relating to the appointment of special constables in burghs in Scotland shall have effect throughout counties in Scotland (including, if the Secretary for Scotland so appoints, any burgh policed by the county) with the substitution of the standing joint committee for the magistrates, of the Police (Scotland) Act, 1857, for the Act of 1892, and of the county council and the county police rate for the town council and the burgh general assessment respectively: Provided that the words "residing within the burgh" in section ninety-six aforesaid are hereby repealed, and provided further that the Secretary for Scotland may by order under his hand apply to special constables appointed in Scotland any statutory provision relating to special constables, with any necessary adaptations.

CHAPTER 54.

An Act to amend the Law relating to the Pay and Pensions of the Royal Irish Constabulary and Dublin Metropolitan Police and for other purposes in relation to those Forces.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Alteration of rates of pay of certain ranks in the Royal Irish Constabulary and Dublin Metropolitan Police. 45 & 46 Vict. c. 63. 46 & 47 Vict. c. 14. 8 Edw. 7. c. 60.

1.—(1) The pay of district inspectors of the Royal Irish Constabulary shall be according to the rates specified in Part I. of the First Schedule to this Act instead of the rates fixed in pursuance of section two of the Constabulary (Ireland) Amendment Act, 1882.

(2) The pay of constables of the Royal Irish Constabulary shall be according to the rates specified in Part II. of the First Schedule to this Act instead of the rates specified in the First Schedule to the Constabulary and Police (Ireland) Act, 1883, as amended by the Constabulary (Ireland) Act, 1908.

(3) The pay of constables of the Dublin Metropolitan Police shall be according to the rates specified in the Second Schedule to this Act instead of the rates specified in the Third Schedule to the Constabulary and Police (Ireland) Act, 1883.

(4) The pay of the inspector of constabulary for the town of Belfast shall be at the rate of seven hundred and twenty pounds a year.

(5) The pay of the accountant of the Commissioners of the Dublin Metropolitan Police shall be at such rate as the Lord Lieutenant may, with the approval of the Treasury, determine.

(6) Subject to the provisions of this Act, any enactment with respect to the pay of district inspectors or constables shall apply to pay at the rates authorised by this Act in like manner as it applies to pay at the rates in force at the passing of this Act.

Allowances and gratuities to widows and children of county inspectors and district inspectors.

2.—(1) The power of the Treasury to grant, on the recommendation of the Lord Lieutenant, pensions and gratuities to county inspectors and district inspectors of the Royal Irish Constabulary shall include a power to grant, on the like recommendation and subject to the regulations set out in the Third Schedule to this Act, annual allowances and gratuities to the widows and children of any county inspectors and district inspectors who, after the commencement of this Act, die whilst in the service or within twelve months after retiring on pension.

(2) The provisions of this section and of section three of the Constabulary (Ireland) Amendment Act, 1882, shall apply in the case of the barrackmaster of the depôt of the Royal Irish Constabulary in like manner as they apply in the case of a county inspector.

Amendment of enactments relating to pensions and gratuities of constables.

3.—(1) The provisions of the Constabulary and Police (Ireland) Act, 1883, relative to pensions and gratuities of constables, shall, in their application to constables becoming members of the Dublin Metropolitan Police after the passing of this Act, have effect subject to the following modifications (that is to say):—

(*a*) A constable who is not incapacitated for the performance of his duty by infirmity of mind or body shall not be entitled to retire and receive a pension unless and until he has completed not less than thirty years' service, and is not less than fifty years of age:

(*b*) A constable who has not completed fifteen years' service and is incapacitated for the performance of his duty by infirmity of mind or body shall not be entitled to retire and receive a pension unless the infirmity is occasioned by an injury received in the execution of his duty without his own default:

(*c*) A constable who has not completed fifteen years' service and is incapacitated for the performance of his duty by infirmity of mind or body occasioned otherwise than as aforesaid, and without his own default, may,

if the Commissioner allows him, retire, and the Commissioner, if he thinks fit, may grant him a gratuity:

(*d*) Any reference in those provisions to a service of twenty-five years or to a period of twenty-five years shall be construed as a reference to the period at the expiration of which a constable, not being incapacitated by infirmity of mind or body, may retire and receive a pension under this section.

(2) For the purpose of calculating any pension, allowance, or gratuity granted, after the commencement of this Act, to a constable, or the widow and children of a constable, or any of them, the Second Schedule to the Constabulary and Police (Ireland) Act, 1883, shall have effect subject to the following modifications (that is to say):—

The reference in the said Second Schedule to the pay set out in the First and Third Schedules to that Act shall be construed as a reference to the pay set out in Part II. of the First Schedule and in the Second Schedule to this Act: Provided that if after the commencement of this Act any constable of the Royal Irish Constabulary who became a member of the Royal Irish Constabulary prior to the passing of the Constabulary (Ireland) Act, 1908, or any constable of the Dublin Metropolitan Police who became a member of the Dublin Metropolitan Police prior to the passing of this Act, retires before he has completed thirty years' service and attained the age of fifty years (not being incapacitated for the performance of his duty by infirmity of mind or body), his pension shall be calculated with reference to the scale of pay which he would have been entitled to receive if this Act had not passed.

(3) Section six of the Constabulary (Ireland) Act, 1908, shall cease to have effect.

Districts and number of county inspectors.

4.—(1) A county inspector may, if the Lord Lieutenant thinks fit, be appointed or assigned to two or more counties or to any other area or combination of areas which the Lord Lieutenant considers suitable.

(2) The number of county inspectors may be altered and varied by the Lord Lieutenant as he thinks proper but so that the total number does not at any time exceed thirty-seven.

Amendment of 37 & 38 Vict. c. 80, s. 5.

5. The reference in section five of the Constabulary (Ireland) Act, 1874, to the rate of pay sanctioned by that Act shall be construed as a reference to the rate of pay for the time being in force.

Interpretation.

6. In this Act unless the context otherwise requires—

The expression "Commissioner" means the Chief Commissioner of the Dublin Metropolitan Police; and

The expression "constable" includes any head constable major, head constable, sergeant, acting sergeant and constable of the Royal Irish Constabulary and any member of the Dublin Metropolitan Police not being of higher rank than chief superintendent.

Repeals.

7. The enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Short title and commencement.

8. This Act may be cited as the Constabulary and Police (Ireland) Act, 1914, and shall come into operation on such day, not being more than two months after the passing thereof, as may be fixed by the Lord Lieutenant.

SCHEDULES.

Sections 1, 3.

FIRST SCHEDULE.

RATES OF PAY OF DISTRICT INSPECTORS AND CONSTABLES OF THE ROYAL IRISH CONSTABULARY.

PART I.

DISTRICT INSPECTORS.

Class.	Length of Service in Class.	Yearly Salary.
		£
1st class	9 years and upwards	300
	6 to 9 years	275
	3 to 6 years	250
	Under 3 years	225
2nd class	5 years and upwards	180
	Under 5 years	165
3rd class		135

PART II.

CONSTABLES.

Rank.	Length of Service in Rank.	Weekly Pay.
		s.
Head constable major		50
Head constable	5 years and upwards	46
	Under 5 years	42

Rank.	Length of Service in Rank.	Weekly Pay.
		s.
Sergeant	4 years and upwards	37
	Under 4 years	35
Acting sergeant		33
Constable	20 years and upwards	31
	15 to 20 years	29
	11 to 15 years	28
	7 to 11 years	27
	5 to 7 years	25
	2 to 5 years	24
	6 months to 2 years	23
	Under 6 months	20

Sections 1, 3.

SECOND SCHEDULE.

RATES OF PAY OF CONSTABLES OF THE DUBLIN METROPOLITAN POLICE.

Rank.	Yearly Pay.
Chief superintendent	300*l.* on appointment increasing by 20*l.* a year to 400*l.*
Superintendent	250*l.* on appointment increasing by 14*l.* a year to 320*l.*
Inspector	120*l.* on appointment increasing by 8*l.* a year to 160*l.*

Rank.	Length of Service in Rank.	Weekly Pay.
		s.
Station sergeant		41
Sergeant	5 years and upwards	39
	Under 5 years	37
Constable	20 years and upwards	33
	15 to 20 years	32
	8 to 15 years	31
	3 to 8 years	29
	1 to 3 years	27
	Under one year	25
Supernumerary Constable		20

Special Provisions.

1. The foregoing rates shall extend to inspectors and constables in the detective division. As respects other members of that division the following special rates shall apply :—

Rank.	Yearly Pay.
Superintendent - - - -	300*l.* on appointment increasing by 20*l.* a year to 400*l.*
Chief inspector - - - -	160*l.* on appointment increasing by 8*l.* a year to 200*l.*

Rank.	Length of Service in Rank.	Weekly Pay.
		s.
Sergeant - - - -	6 years and upwards - -	41
	3 to 6 years - - - -	39
	Under 3 years - - -	37
Detective officer - -	- - - - - -	33

2. In the case of a superintendent, chief inspector, or inspector, appointed to his rank before the date of the commencement of this Act, his yearly pay in that rank after that date shall be calculated as if this schedule had been in operation at the time of his appointment.

3. Where a superintendent is appointed to the rank of chief superintendent his yearly pay on appointment to that rank shall not be less than his yearly pay immediately before his appointment.

THIRD SCHEDULE.

Section 2.

Regulations as to Allowances and Gratuities to Widows and Children of County and District Inspectors of the Royal Irish Constabulary.

(1) An allowance or gratuity to the widow or child of a deceased county inspector or district inspector shall, within the limits specified in this schedule, be of such amount as may be determined by the Lord Lieutenant with the approval of the Treasury, and, in determining that amount, regard shall be had to the means available for the maintenance of the widow or child, and to all the circumstances of the case, and no allowance or gratuity shall be granted to a widow or child unless the Lord Lieutenant is satisfied that the means available for his or her maintenance are insufficient.

(2) Where the deceased officer was on the date of his death in the service and had served for not less than ten years, annual allowances may, subject as aforesaid, be granted to his widow and children or any of them. The annual allowance shall not exceed in the case of the widow thirty pounds and in the case of any child ten pounds.

(3) Where the deceased officer—

(*a*) had retired from the service on pension within twelve months before the date of his death, or

(*b*) being in the service on that date had served for less than ten years,

gratuities may, subject as aforesaid, be granted to his widow and children or any of them. The gratuities shall not exceed in the whole—

(i) in case (*a*), the difference between the deceased officer's salary and the amount of pension actually received by him, and

(ii) in case (*b*), the amount of the gratuity which might have been granted to the officer if on the date of his death he had retired on the ground of ill-health.

(4) An allowance to a widow shall continue so long only as she remains a widow. An allowance to a child shall not continue after the child attains the age of fifteen years.

(5) The Lord Lieutenant may, if he thinks fit, discontinue or reduce any allowance if he considers that the pecuniary circumstances of the recipient are such as to justify the discontinuance or reduction.

Section 7.

FOURTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
22 & 23 Vict. c. 52.	The Dublin Police Act, 1859.	Section five, from "and it shall be lawful."
28 & 29 Vict. c. 70.	The Constabulary (Ireland) Amendment Act, 1865.	The schedule so far as it relates to the number of county inspectors.
37 & 38 Vict. c. 80.	The Constabulary (Ireland) Act, 1874.	Paragraph 3 of section two.
45 & 46 Vict. c 63.	The Constabulary (Ireland) Amendment Act, 1882.	In section two, the words "and sub-inspectors." The schedule, except so far as it relates to county inspectors.
46 & 47 Vict. c. 14.	The Constabulary and Police (Ireland) Act, 1883.	Section two, from the beginning to "First Schedule to this Act." Section thirteen, from the beginning to "Third Schedule to this Act." The First and Third Schedules.
48 & 49 Vict. c. 12.	The Constabulary (Ireland) Redistribution Act, 1885.	In section one, the words "at the end of each succeeding term of three years from the passing of this Act."
8 Edw. 7. c. 60	The Constabulary (Ireland) Act, 1908.	Sections one and six. The schedule.

CHAPTER 55.

An Act to provide for the Improvement of the Navigation of Rivers in Ireland. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Improvement of the navigation of rivers.

1.—(1) Subject to the provisions of this Act, the council of any county shall have power to undertake and construct within the county, works for the improvement of the navigation of any river in accordance with schemes prepared by the county council and approved by the Board of Works and to cause such surveys, reports, and plans to be made as may be necessary for the purpose of preparing any such schemes.

(2) Any works so undertaken shall be carried out in accordance with the schemes so approved, and shall be maintained in good condition and repair by the county council.

Tolls.

2.—(1) When a county council have constructed works for the improvement of the navigation of a portion of a river under this Act, they may charge such tolls as may be sanctioned by the Board of Works in respect of the navigation of that portion of the river, or any part thereof, and in respect of the use of any works constructed or acquired by the council for the purposes of the improvement.

(2) The provisions of section ninety-two (relative to disputes as to the weight or quantity of goods chargeable with tolls), section ninety-four (relative to the posting of lists of rates and tolls), and section ninety-five (relative to the enforcement of payment of tolls) of the Drainage (Ireland) Act, 1842, shall, with the substitution of the county council, and their collectors and officers for the Commissioners and their collectors and officers, apply with respect to tolls chargeable under this Act as they apply with respect to tolls chargeable under that Act. 5 & 6 Vict. c. 89.

(3) All tolls received or recovered by the county council shall be applied in aid of their expenses under this Act, and if the amount so received or recovered in any year exceeds the amount of the expenses of that year, the surplus shall either be carried to a suspense account and applied in aid of the expenses of any subsequent year or, if so directed by the county council, shall be carried to the credit of the fund to which expenses are charged, or, if there are two or more such funds, to the credit of those funds rateably in the proportion in which the funds are charged.

Acquisition of land and borrowing. 61 & 62 Vict. c. 37.

3. For the purposes of this Act a county council may acquire land, easements, and rights under subsections (1) and (2) of section ten of the Local Government (Ireland) Act, 1898, and

may borrow money under article twenty-two of the schedule to the Local Government (Application of Enactments) Order, 1898, in like manner as if those purposes were mentioned in those subsections and article respectively, and money borrowed for the purposes of this Act shall not be reckoned as part of the debt of the county for the purposes of the said article.

Officers.

4. Subject to the approval of the Local Government Board the county council may appoint and employ such officers and other persons as they may think necessary for the exercise and performance of their powers and duties under this Act at such salaries or other remuneration as the Board may sanction.

Expenses.

5.—(1) The expenses of a county council under this Act shall, subject to the provisions of this section, be raised by means of the poor rate as a county at large charge.

(2) If the county council consider that those expenses or any part thereof should, instead of being levied as a county at large charge, be levied as an urban charge or a district charge, as the case may be, off any urban or rural district or districts in the county specially benefited by the works, they shall pass a resolution in the prescribed form and shall communicate the same to the council of every county district affected, and subject to an appeal by any such council, and the right of the Local Government Board upon such appeal to modify or rescind the resolution, the resolution shall come into operation in like manner as a declaration of a county council as to main roads comes into operation under section eight of the Local Government (Ireland) Act, 1898, and subsections (5) to (10) of that section shall apply accordingly with the necessary modifications, and in particular with the modification that the powers of the Local Government Board on an appeal shall include a power to rescind the resolution.

(3) When a resolution under this section comes into operation it shall remain in operation unless and until it is modified or rescinded by the Local Government Board on the application of the council of the county or of any county district affected, and if so modified shall, subject to the modifications, have effect in like manner as the original resolution.

Committee.

6.—(1) Where a county council undertake any works under this Act, they may, and if their expenses under this Act or any part thereof are levied off any county district as an urban or district charge they shall, appoint a committee for the purposes of this Act.

(2) The committee shall consist of such number of members as may be determined by the county council, and where the whole or any part of the expenses of the county council under this Act are levied off any county district as an urban or district charge, shall include, in addition to members appointed by the county council, such number of members appointed by the

council of any county district so charged as may be agreed upon between the county council and the council of the district, or may be determined, in default of agreement, by the Local Government Board.

(3) A person may be appointed a member of the committee under this section although he is not a member of the council by which he is appointed.

(4) Subject to the provisions of this section, the constitution and procedure of the committee shall be regulated by article thirty-six of the schedule to the Local Government (Application of Enactments) Order, 1898.

Joint action.

7.—(1) Subject to the approval of the Local Government Board, two or more county councils may agree in the prescribed manner to combine for the purpose of the exercise and performance of their powers and duties under this Act, in relation to the improvement of the navigation of any river which passes through or bounds their respective counties.

(2) Where any such agreement is entered into with the approval of the Local Government Board, the foregoing provisions of this Act shall have effect, subject to the following modifications, namely :—

(*a*) Each county council shall contribute to the expenses incurred in such proportions as may be agreed upon :

(*b*) The powers and duties of the county councils under this Act (other than the powers of borrowing, making a rate charging expenses on county districts, or acquiring land) shall be exercised and performed by a joint committee appointed by the county councils, and the acts of the committee in the exercise and performance of these duties shall not require to be approved by any of the county councils :

(*c*) The number of members of the joint committee and the representation thereon of each county shall be such as may be agreed upon, and the provisions of this Act as respects the inclusion on a committee of representatives of the council of a county district in certain cases shall apply as respects the inclusion of such representatives in the like cases amongst the representatives of a county on the joint committee, and, subject as aforesaid, article thirty-eight of the schedule to the Local Government (Application of Enactments) Order, 1898, shall apply as respects the constitution and procedure of the joint committee.

Savings.

8. Nothing in this Act shall extend to or affect any estate, right, power, privilege, or exemption of the Crown, or any powers given by Act of Parliament to any body of persons in relation to the improvement of the navigation of a river.

Construction and citation.

9.—(1) Expressions to which special meanings are assigned by the Local Government (Ireland) Act, 1898, shall in this Act have the like respective meanings, and in this Act the expression "Board of Works" means the Commissioners of Public Works in Ireland, and the expression "land" includes water and land covered with water, and the expression "rights and easements" includes rights to and in water.

(2) This Act may be cited as the River Navigation Improvement (Ireland) Act, 1914.

CHAPTER 56.

An Act to authorise the extension of the Area for the benefit of which Charities in a Town may be applied, and the variation of the purposes for which dole Charities may be applied in certain cases.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to extend the area and objects of town charities in certain cases.

1.—(1) The High Court may, by scheme made under their jurisdiction with respect to charities, and the Charity Commissioners may, by scheme made under the Charitable Trusts Acts, 1853 to 1894, provide that the benefits of a charity which are restricted to any municipal borough or to any parish or defined area within a municipal borough, may be extended, subject to such provisions as may be made by the scheme, to any area within or comprising the borough as constituted for the time being, or any adjacent parishes; and also, where any charity the benefits of which are extended by the scheme is applicable in doles, that the charity shall be applicable for the relief of distress or sickness, or for improving by such means as may be provided in the scheme the physical, social, or moral condition of the poor in the area as extended.

(2) A scheme under this Act shall only be made on the application of the trustees or persons acting in the administration of the charity or a majority of those persons, or, in the case of an application to the Court, on the application either of those trustees or persons or of the Attorney-General.

16 & 17 Vict. c. 137.

Section seventeen of the Charitable Trusts Act, 1853, shall apply to an application made to the Court for a scheme under this Act by any person other than the Attorney-General, and notice of any such application shall also be given to the Attorney-General.

(3) Nothing in this section shall authorise any scheme to be made—

(*a*) with respect to a charity the endowments of which are applicable solely for educational purposes; or

(*b*) with respect to any charity until the expiration of forty years from the date of the foundation thereof, and, in the case of a charity founded before the passing of this Act, by a donor or several donors any one of whom is living at the passing of this Act, until the death of the surviving donor or donors unless with the consent of such donor or donors.

Application to London.

2. This Act shall apply to the county of London as if it were a municipal borough, but shall not apply within the city of London.

Short title.

3. This Act may be cited as the Charitable Trusts Act, 1914, and shall be construed as one with the Charitable Trusts Acts, 1853 to 1894, and together with those Acts may be cited as the Charitable Trusts Acts, 1853 to 1914.

CHAPTER 57.

An Act to amend Part II. of the National Insurance Act, 1911. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of statutory conditions with respect to previous employment.

1.—(1) The following condition shall be substituted for the first of the statutory conditions set out in section eighty-six of the National Insurance Act, 1911 (hereinafter referred to as the principal Act), namely—

"(1) that he proves that not less than ten contributions have been paid by him under this Part of this Act":

Provided that the substitution shall not take effect as respects any claim made before the passing of this Act.

(2) The proviso to the first paragraph in the Eighth Schedule to the principal Act shall have effect as if after the words "reaches the age of eighteen" there were inserted the words "or as regards the fulfilment of the first statutory condition for the receipt of unemployment benefit."

Provisions as to courts of referees.

2.—(1) Provision may be made by regulations under Part II. of the principal Act for allowing any claim or question which is reported or referred to a court of referees to be proceeded with in the absence of any member or members of that court other than the chairman, but only if the claimant or the person or association in whose case the question arises consents, and in

such case the court shall, notwithstanding anything in the principal Act, be deemed to be properly constituted, and the chairman shall, if the number of members of the court is an even number, have a second or casting vote.

(2) The time within which notice requiring an insurance officer to report a matter to a court of referees for their consideration may be given shall be twenty-one days from the time when the decision of the insurance officer is communicated to the person affected thereby, or such extended time as the Board of Trade may in any particular case for special reasons allow.

(3) Where upon a recommendation by a court of referees unemployment benefit is in accordance with paragraph (*e*) of subsection (1) of section ninety-one of the principal Act, and the regulations made thereunder, paid during any period intervening between the claim for the benefit and the final determination of the claim, the benefit shall, except where such regulations otherwise prescribe, and notwithstanding that the final determination is adverse to the claim, be treated as having been duly paid, and shall not be recoverable from the workman under subsection (5) of section one hundred and one of the principal Act or otherwise.

(4) Proviso (*b*) to subsection (1) of section eighty-eight of the principal Act, which relates to the power of an insurance officer to refer claims and questions to courts of referees, shall have effect as if for the words "who shall in each case deter- "mine the question, and the decision of the court of referees "shall be final and conclusive," there were substituted the words "and thereupon the provisions of the last foregoing "proviso shall apply as if he had reported the matter to the "court."

Determination of questions by umpire.

3.—(1) Where any question arises under Part II. of the principal Act whether a person is a workman within the meaning of that Part, the question shall be decided in the like manner as a question whether a workman is a workman in respect of whom contributions are payable under that Part, or whether a trade in which a workman is employed is an insured trade, and the provisions of Part II. of the principal Act relating to the determination of such questions and the consequences of decisions thereon, and requiring any such questions to be referred to the umpire, shall apply accordingly.

(2) Where, in pursuance of regulations made by the Board of Trade under Part II. of the principal Act, a decision has been obtained from the umpire that contributions under that Part are not payable in respect of any workman, or class of workmen, and the umpire certifies that he has subsequently revised such decision so as to make contributions payable in respect of such workman, or class of workmen, or any of them, contributions shall be so payable only from the date when the decision was so revised.

(3) Subsections (3) and (4) of section eighty-eight of the principal Act shall apply to all proceedings before the umpire whether under that section or under any other provision of Part II. of the principal Act.

Calculation of Treasury contribution to unemployment fund.

4.—(1) For the purpose of calculating the amount of the contribution to the unemployment fund to be made in any year out of moneys provided by Parliament under subsection (6) of section eighty-five of the principal Act, so long as regulations under the principal Act provide for the payment of contributions by means of stamps the sums received in that year on account of such stamps, after deducting any sums which may have been refunded on account of any such stamps, or under subsection (2) of section ninety-nine, or subsection (2) of section one hundred of the principal Act, or section five of this Act, shall be deemed to be, and as from the commencement of the principal Act be deemed to have been, contributions received from employers and workmen in that year.

(2) The like deductions shall be made from the receipts paid into the unemployment fund on income account for the purpose of calculating the amount which may be applied as an appropriation in aid under subsection (2) of section eighty-nine of the principal Act.

Amendment of s. 94 of principal Act as to refunds to employer.

5.—(1) As from the fourteenth day of July nineteen hundred and fourteen the following section shall be substituted for section ninety-four of the principal Act :—

"(1) The Board of Trade shall, on the application of any employer made in the prescribed manner within two months after the termination of an insurance year, or after such longer period as the Board of Trade may prescribe, refund to such employer as soon as practicable out of the unemployment fund the sum of three shillings in respect of each workman in respect of whom he has paid not less than forty-five contributions during the insurance year :

(2) For the purpose of meeting any change in the insurance year, or for the purpose of making provision for any period which may elapse between the date upon which contributions commence to be payable under this Part of this Act and the commencement of the next ensuing insurance year, the Board of Trade may, so far as necessary for the purpose, apply the provisions of this section to any period less than an insurance year, subject to such proportionate reduction of the number of contributions required and of the sum to be refunded as they may direct, and this section shall take effect as regards any such period of less than an insurance year as so applied."

(3) In calculating the number of contributions paid by an employer in respect of a workman for the purpose of this section—

(*a*) Any contributions which may have been refunded to the employer in respect of the workman under section ninety-six of the principal Act as originally enacted, or from which he may have been exempted under the provisions of this Act substituted for that section, shall be deemed to have been paid;

(*b*) Any contributions paid by the Crown in accordance with section ninety-eight of the principal Act in respect of a workman in training shall be deemed to have been paid by the employer by whom the workman was employed immediately before the training;

(*c*) Where the employer has made an arrangement with the Board of Trade under section ninety-nine of the principal Act he shall, in respect of any contributions paid under the arrangement, be deemed to have paid that number of contributions which he would have been liable to pay if he had not made such an arrangement:

Provided that when the number of contributions paid by the employer would but for this subsection have been less than forty-five, the amount refunded under this section in respect of the workman shall be subject to such proportionate reduction as the Board may direct.

Amendment of s. 95 of principal Act.

6.—(1) At the end of subsection (1) of section ninety-five of the principal Act the following proviso shall be added:—

"Provided that if at the time when contributions first became payable in respect of any workman under this Part of this Act he was over the age of fifty-five, the number of weeks in respect of which contributions are required to be paid by him in order to entitle him or his representatives to such repayments as aforesaid shall be reduced by fifty weeks for every year or part of a year by which his age at that time exceeded fifty-five."

(2) At the end of the same section, the following subsection shall be added:—

"(3) Where a workman has received a repayment under this section, and has paid further contributions under this Part of this Act, he shall be entitled to a further repayment in accordance with the section if the number of such further contributions exceeds one hundred, and in the case of his death his representatives shall be entitled to such further repayments whatever may be the number of such further contributions."

Exemption from contributions in respect of workmen working short time.

7. As from the first day of January nineteen hundred and fifteen the following section shall be substituted for section ninety-six of the principal Act :—

"(1) Where it appears to the Board of Trade that there is exceptional unemployment in any trade or branch of a trade, the Board may, on application being made in the prescribed manner by any employer in that trade or branch, and on the prescribed conditions being complied with, make an order exempting workmen of any specified class or description employed by him who are systematically working short time, and the employer, from contributions under Part II. of the principal Act, and whilst the order remains in force, and the workmen of the class or description specified in the order systematically work short time in accordance with the order, those workmen and the employer shall be exempt from contributions as if the workmen were not workmen employed in an insured trade.

(2) The Board of Trade may make regulations for giving effect to this section, and in particular for defining 'short time' for the purposes of this section; for fixing the maximum period for which an exemption under this section may continue; for requiring an employer to deposit at a labour exchange the unemployment books of the workmen in respect of whom an exemption is claimed, and to pay the prescribed number of contributions, not exceeding two, in respect of every such workman; for cancelling an order under this section if it appears that the conditions of the order are not being complied with, without prejudice however to any liability which the employer may have incurred by reason of non-payment of any contributions whilst such conditions were not complied with."

Amendment of s. 101 (2) of principal Act.

8.—(1) Where an employer has been convicted under subsection (2) of section one hundred and one of the principal Act of the offence of failing or neglecting to make any contribution under Part II. of that Act, then, if notice of the intention to do so is served with the summons or warrant, evidence may be given of the failure or neglect on the part of the employer to pay other contributions in respect of the same workman during the year preceding the date when the information was laid, and on proof of such neglect or failure the employer shall be liable to pay to the unemployment fund a sum equal to the total amount of all the contributions which he is so proved to have failed or neglected to pay, which sum when paid shall be treated as a payment in satisfaction of such contributions, and the workman's portion of such contributions shall not be recoverable by the employer from the workman.

(2) A court of summary jurisdiction in Ireland shall have the same power as a court of summary jurisdiction in England in the case of a person convicted for an offence under subsection (1) of section one hundred and one of the principal Act to impose a fine not exceeding twenty-five pounds instead of imprisonment, if they think that the justice of the case will be better met by a fine than imprisonment.

(3) All proceedings for any contravention or non-compliance with the provisions of Part II. so far as relating to matters under Part II. of the principal Act, or this Act, or the regulations made thereunder, shall in Scotland be instituted and carried on under the provisions of the Summary Jurisdiction (Scotland) Acts, and may be taken at the instance of the procurator fiscal or the Board of Trade.

Recovery of contributions from workmen.

9. An employer shall not be entitled to recover from a workman the amount of any contributions paid by him on behalf of a workman otherwise than by deductions made from the workman's wages, or from any other payment due from him to the workman, nor shall he be allowed to make any such deduction except from wages or other payment in respect of the period, or part of the period, of employment for which the contribution was payable, or in respect of a period of employment ending not later than four weeks after the termination of the period for which the contribution was payable.

Explanation of s. 103 of principal Act.

10. For removing doubts it is hereby declared that in section one hundred and three of the principal Act the expression "workmen in any trade other than an insured trade" includes, and shall be deemed always to have included, any workmen employed otherwise than in an insured trade, and the expression "trade mentioned in the order" shall be construed accordingly.

Amendment of s. 103 of principal Act.

11. At the end of section one hundred and three of the principal Act the following proviso shall be inserted :—

"Provided also that no such order shall contain any variations from the draft order with regard to which an inquiry is held other than such as are approved in writing by the person who held the inquiry."

Amendment of s. 104 of principal Act.

12. Where the Board of Trade, whether before or after the passing of this Act, have made an order under section one hundred and four of the principal Act excluding any occupation from the occupations which are deemed to be occupations in an insured trade any workman shall, on making an application to the Board of Trade for the purpose within six months after the making of the order or the passing of this Act, whichever may be the later, and on satisfying the Board of Trade—

(*a*) that the number of contributions paid in respect of him are less than ten ; and

(*b*) that by reason of the order he has ceased to be employed in an insured trade ;

be entitled to have repaid to him out of the unemployment fund the amount of the contributions paid by him whilst employed in the occupation so excluded, after deducting the amount of the unemployment benefit, if any, which he may have received; but if at any time after such repayment he becomes entitled to unemployment benefit he shall be treated as if no contributions had been paid in respect of him whilst employed in such occupation.

Amendment of s. 105 of principal Act in respect of arrangements with associations of workmen.

13.—(1) The Board of Trade shall not make or continue an arrangement with an association under section one hundred and five of the principal Act, unless they are of opinion that the payments authorised by the rules of the association to be made to its members when unemployed (inclusive of any payments in respect of which a refund may be made to the association under the said section) represent a provision for unemployment, as respects such of its members as are workmen in an insured trade, which is at least one-third greater than the provision represented by unemployment benefit under the principal Act.

This limitation shall, as regards any payments made by an association to its members in respect of unemployment occurring on or after the twenty-eighth day of September nineteen hundred and fourteen, or such later date as may be fixed by the Board of Trade in any particular case after consultation with the association concerned, be substituted for the limitation imposed by that subsection on the amount to be repaid periodically to an association by reference to three-fourths of the amount of the payments made.

(2) The amount of any sum which, but for section one hundred and five of the principal Act, would have been paid to a workman by way of unemployment benefit shall, for all purposes of Part II. of that Act, be deemed to have been paid, and accordingly subsection (3) of that section shall have effect as if the words "determining whether a workman has exhausted his right to unemployment benefit under" were omitted therefrom and the words "a workman" were substituted for the word "him."

(3) Regulations may be made under subsection (4) of section one hundred and five of the principal Act for referring questions which may arise under that section to insurance officers and courts of referees as well as to the umpire.

Amendment of s. 106 of principal Act.

14.—(1) The provisions of section one hundred and six of the principal Act respecting the sums to be excluded in calculating the amounts in respect of which repayments may be made to an association under that section shall be amended as follows:—

(*a*) The words "and exclusive in the case of payments "which exceed twelve shillings a week, of so much "of those payments as exceeds that sum" shall be repealed;

(*b*) Where it appears to the Board of Trade that the rules of any association are such as to enable persons when unemployed to obtain from the association, or from the association and the unemployment fund together, payments at rates which exceed seventeen shillings a week, the sums which might otherwise be repaid by the Board to the association under the said section shall be subject to such reduction (if any) as the Board may think just:

Provided that, if regulations or rules are made varying the rate of unemployment benefit laid down in the Seventh Schedule to the principal Act, the regulations or rules may make such corresponding variation in the limit of seventeen shillings fixed by this provision as the Board of Trade may think proper:

(*c*) Where the association is an association with which the Board of Trade have made an arrangement under section one hundred and five of the principal Act, and the highest rate of weekly payment authorised by the rules of the association to be made to its members, being workmen in an insured trade, when unemployed (inclusive of any payment in respect of which a refund may be made to the association under the said section) is less than thirteen shillings the whole amount of the sum repaid under that section shall not be excluded, but such part thereof only as bears the same proportion to the whole amount as such highest rate of weekly payment bears to thirteen shillings.

(2) This section shall have effect as regards payments made by an association in respect of unemployment occurring on or after the twenty-eighth day of September nineteen hundred and fourteen, or such later date as may be fixed by the Board of Trade in any particular case after consultation with the association concerned.

Amendment of s. 107 of principal Act.

15.—(1) The definition of "workman" in section one hundred and seven of the principal Act shall include any person employed under a local or other public authority who would have been a workman within the meaning of that section if the contract with the authority had been a contract of service.

(2) In section one hundred and seven of the principal Act, at the end of the paragraph defining the conditions under which a workman is not to be deemed to be unemployed, the following words shall be inserted:—"unless such other occupa-" tion has ordinarily been followed by the workman in addition " to his employment in an insured trade and outside the " ordinary working hours of such trade, and the rate of

"remuneration received therefrom does not exceed one pound "a week."

Power of President, &c., to act for Board of Trade.

16. Anything required or authorised under Part II. of the principal Act to be done by, to or before the Board of Trade may be done by, to or before the President or a Secretary or Assistant Secretary of the Board or any person authorised in that behalf by the President of the Board.

Amendment of Seventh Schedule of principal Act.

17.—(1) So much of the Seventh Schedule of the principal Act as prohibits workmen from receiving within any period of twelve months unemployment benefit for more than fifteen or such other number of weeks as may be prescribed shall have effect as if for the reference to any period of twelve months there were substituted a reference to an insurance year.

(2) A workman in respect of whom no contributions have been paid before the passing of this Act shall not be entitled under proviso (*a*) to the fourth paragraph in the Seventh Schedule of the principal Act to any addition to the number of contributions which he has actually paid.

Short title and construction.

18.—(1) This Act may be cited as the National Insurance (Part II. Amendment) Act, 1914, and shall be construed as one with Part II. of the principal Act; and the National Insurance Acts, 1911 and 1913, and this Act may be cited together as the National Insurance Acts, 1911 to 1914.

(2) For the purposes of this Act the expression "insurance year" means such period of not less than fifty-two nor more than fifty-three weeks as may be prescribed.

CHAPTER 58.

An Act to diminish the number of cases committed to prison, to amend the Law with respect to the treatment and punishment of young offenders, and otherwise to improve the Administration of Criminal Justice.

[10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Fines, Fees, &c.

Obligation to allow time for payment of fines.

1.—(1) A warrant committing a person to prison in respect of non-payment of a sum adjudged to be paid by a conviction of a court of summary jurisdiction shall not be issued forthwith unless the court which passed the sentence is satisfied that he

is possessed of sufficient means to enable him to pay the sum forthwith, or unless, upon being asked by the court whether he desires that time should be allowed for payment, he does not express any such desire, or fails to satisfy the court that he has a fixed abode within its jurisdiction, or unless the court for any other special reason expressly directs that no time shall be allowed.

(2) Where any such person desires to be allowed time for payment the court in deciding what time shall be allowed shall consider any representation made by him, but the time allowed shall not be less than seven clear days:

Provided that if before the expiration of the time allowed the person convicted surrenders himself to any court of summary jurisdiction having jurisdiction to issue a warrant of commitment in respect of the non-payment of such sum as aforesaid, and states that he prefers immediate committal to awaiting the expiration of the time allowed, that court may if it thinks fit forthwith issue a warrant committing him to prison.

(3) Where a person so allowed time for payment as aforesaid appears to the court to be not less than sixteen nor more than twenty-one years of age, the court may, if it thinks fit, and subject to any rules made under this Act, order that he be placed under the supervision of such person as may be appointed by the court until the sum adjudged to be paid is paid, and in such case before issuing a warrant committing the offender to prison in respect of non-payment of the sum a court of summary jurisdiction shall consider any report as to the conduct and means of the offender, which may be made by the person under whose supervision the offender has been placed.

(4) In all cases where time is not allowed for payment, the reasons of the court for the immediate committal shall be stated in the warrant of commitment.

Allowance of further time.

2. Where time has been allowed for the payment of a sum adjudged to be paid by a conviction or order of a court of summary jurisdiction, further time may, subject to any rules made under this Act, on an application by or on behalf of the offender, be allowed by a court of summary jurisdiction having jurisdiction to issue a warrant of commitment in respect of the non-payment of such sum as aforesaid, or such court may, subject as aforesaid, direct payment by instalments of the sum so adjudged to be paid.

Reduction of imprisonment on part payment of sums adjudged to be paid.

3.—(1) Where a term of imprisonment is imposed by a court of summary jurisdiction in respect of the non-payment of any sum of money adjudged to be paid by a conviction or order of that or any other court of summary jurisdiction, that term shall, on payment of a part of such sum to any person authorised to receive it, be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days in the term as the sum paid bears to the sum adjudged to be paid:

Provided that, in reckoning the number of days by which any term of imprisonment would be reduced under this section, the first day of imprisonment shall not be taken into account, and that, in reckoning the sum which will secure the reduction of a term of imprisonment, fractions of a penny shall be omitted.

(2) Provision may be made by rules under section twenty-nine of the Summary Jurisdiction Act, 1879, as to the application of sums paid under this section and for determining the persons authorised to receive such payments and the conditions under which such payments may be made. 42 & 43 Vict. c. 49.

Provisions for enforcement of payment of fines, &c.

4.—(1) Where a person has been adjudged to pay a sum by a conviction of a court of summary jurisdiction, or in proceedings in any such court for enforcing an order in any matter of bastardy, or an order under which weekly sums are made payable towards the maintenance of a wife, the court may order him to be searched and any money found on him on apprehension, or when so searched, or which may be found on him when taken to prison in default of payment of the sum so adjudged to be paid, may, unless the court otherwise directs, be applied towards the payment of the sum so adjudged to be paid, and the surplus, if any, shall be returned to him.

Provided that the money shall not be so applied if the court is satisfied that the money does not belong to the person on whom it was found, or that the loss of the money will be more injurious to his family than his imprisonment.

(2) Where a warrant of distress is issued by a court of summary jurisdiction it shall authorise the person charged with the execution thereof to take any money as well as any goods of the person against whom the distress is levied, and any money so taken shall be treated as if it were the proceeds of sale of goods taken under the warrant, and the provisions of the Summary Jurisdiction Acts shall apply accordingly.

Payment and allocation of fines and fees.

5.—(1) A court of summary jurisdiction in fixing the amount of any fine to be imposed on an offender shall take into consideration, amongst other things, the means of the offender so far as they appear or are known to the court; and where a fine is imposed the payment of the court fees and police fees payable in the case up to and including conviction shall not be taken into consideration in fixing the amount of the fine or be imposed in addition to the fine, but the amount of the fine, or of such part thereof as may be paid or recovered, shall be applied as follows:—

(*a*) in the first place in the repayment to the informant or complainant of any court or police fees paid by him;

(*b*) in the second place in the payment of any court fees not already paid by the informant or complainant which may be payable under the table of fees set out in the First Schedule to this Act;

(*c*) in the third place in the payment of any police fees not already paid by the informant or complainant; and

(*d*) the balance (if any) remaining after the aforesaid payments have been made shall be paid to the fund or person to which the fine is directed to be paid by the enactments relating to the offence in respect of which the fine was imposed, or, if there is no such fund or person, then to the fund into which the court fees are paid.

(2) In this section the expression "police fees" means all duly authorised fees payable to any constable in the execution of his duty.

Uniform scale of court fees as respects all courts of summary jurisdiction.

6.—(1) The table of court fees set out in Part I. of the First Schedule to this Act shall have effect in all courts of summary jurisdiction, and shall be substituted for any table of fees in force at the commencement of this Act in any court of summary jurisdiction, and references in any enactment to any fees for which fees in the said table are so substituted shall be construed as references to the fees so substituted.

(2) Notwithstanding any provisions in any other general or local Act or in any rules made under any such Act enabling fees to be charged by clerks to justices, the fees set out in Part I. of that schedule, and no other fees, may be charged by clerks to justices:

Provided that nothing in this section shall affect the fees chargeable in metropolitan police courts or the police courts of the City of London, or in respect of the matters specified in Part II. of that schedule.

(3) The Secretary of State may, in the event of new or additional duties being imposed on courts of summary jurisdiction or clerks to justices, or for other sufficient reason, by order make such variations in the said table of fees as may seem to him to be proper, and upon such order coming into operation the table shall have effect subject to the variations made by the order:

Provided that before any such order is made a draft of the proposed order shall be laid before each House of Parliament for a period of not less than thirty days during which the House is sitting, and if either of those Houses before the expiration of those thirty days presents an address to His Majesty against the draft order or any part thereof no further proceedings shall be taken thereon, without prejudice to the making of a new draft order.

Probation.

Power to recognise and subsidise societies for

7.—(1) If a society is formed or is already in existence having as its object or amongst its objects the care and control of persons under the age of twenty-one whilst on probation

under the Probation of Offenders Act, 1907, or of persons whilst placed out on licence from a reformatory or industrial school or Borstal institution, or under supervision after the determination of the period of their detention in such a school or institution, or under supervision in pursuance of this Act, or some one or more of such objects the society may apply to the Secretary of State for recognition, and the Secretary of State, if he approves of the constitution of the society and is satisfied as to the means adopted by the society for securing such objects as aforesaid, may grant his recognition to the society. care of youthful offenders on probation, &c. 7 Edw. 7. c. 17.

(2) Where a probation order is made by a court of summary jurisdiction in respect of a person who appears to the court to be under the age of twenty-one, the court may appoint any person provided by a recognised society to act as probation officer in the case.

(3) Where a probation officer provided by a recognised society has been appointed to act in any case and it is subsequently found by the society expedient that some other officer provided by the society should be substituted for the officer originally appointed, the society may, subject to the approval of the court, appoint such other officer to act, and thereupon the probation order shall have effect as if such substituted officer had originally been appointed to act as probation officer.

(4) There may be paid to a recognised society out of moneys provided by Parliament towards the expenses incurred by the society such sums on such conditions as the Secretary of State, with the approval of the Treasury, may recommend.

8. For subsection (2) of section two of the Probation of Offenders Act, 1907, which specifies the additional conditions which may be inserted in a recognisance under that Act, the following subsection shall be substituted:— Conditions of probation.

"(2) A recognisance under this Act may contain such additional conditions with respect to residence, abstention from intoxicating liquor, and any other matters, as the court may, having regard to the particular circumstances of the case, consider necessary for preventing a repetition of the same offence or the commission of other offences."

9. The following section shall be substituted for section five of the Probation of Offenders Act, 1907, which relates to the power of varying the conditions of recognisances:— Variation of terms and conditions of probation.

"The court before which any person is bound by a recognisance under this Act to appear for conviction and sentence or for sentence—

(*a*) may at any time if it appears to it, upon the application of the probation officer, that it is expedient that the terms or conditions of the recognisance should be varied, summon the person bound by the recognisance to appear before it, and, if he fails to show cause why such variation should not be made,

vary the terms of the recognisance by extending or diminishing the duration thereof (so, however, that it shall not exceed three years from the date of the original order), or by altering the conditions thereof, or by inserting additional conditions; or

(*b*) may on application being made by the probation officer, and on being satisfied that the conduct of the person bound by the recognisance has been such as to make it unnecessary that he any longer be under supervision, discharge the recognisance."

Committals to Borstal Institutions.

Power to send youthful delinquents to Borstal institutions.

10.—(1) Where a person is summarily convicted of any offence for which the court has power to impose a sentence of imprisonment for one month or upwards without the option of a fine, and—

(*a*) it appears to the court that the offender is not less than sixteen nor more than twenty-one years of age; and

(*b*) it is proved that the offender has previously been convicted of any offence or, that having been previously discharged on probation, he failed to observe a condition of his recognizance; and

(*c*) it appears to the court that by reason of the offender's criminal habits or tendencies, or association with persons of bad character, it is expedient that he should be subject to detention for such term and under such instruction and discipline as appears most conducive to his reformation and the repression of crime,

it shall be lawful for the court, in lieu of passing sentence, to commit the offender to prison until the next quarter sessions, and the court of quarter sessions shall inquire into the circumstances of the case, and, if it appears to the court that the offender is of such age as aforesaid and that for any such reason as aforesaid it is expedient that the offender should be subject to such detention as aforesaid, shall pass such sentence of detention in a Borstal institution as is authorised by Part I. of the Prevention of Crime Act, 1908, as amended by this Act; otherwise the court shall deal with the case in any way in which the court of summary jurisdiction might have dealt with it.

8 Edw. 7. c. 59.

(2) A court of summary jurisdiction or court of quarter sessions, before dealing with any case under this section, shall consider any report or representations which may be made to it by or on behalf of the Prison Commissioners as to the suitability of the offender for such detention as aforesaid, and a court of summary jurisdiction shall, where necessary, adjourn the case for the purpose of giving an opportunity for such a report or representations being made.

(3) Where a person is committed to prison under this section his treatment in prison shall, so far as practicable, be similar to that in Borstal institutions, or he may, if the Secretary of State so directs, be transferred to a Borstal institution.

(4) The Costs in Criminal Cases Act, 1908, shall apply in the case of a person committed to prison by a court of summary jurisdiction under this section as if that person were committed for trial for an indictable offence. 8 Edw. 7. c. 15.

(5) A person sentenced by a court of quarter sessions under this section to detention in a Borstal institution may appeal against the sentence to the Court of Criminal Appeal as if he had been convicted on indictment, and the provisions of the Criminal Appeal Act, 1907, shall apply accordingly. 7 Edw. 7. c. 23.

(6) This section shall come into operation on the first day of September nineteen hundred and fifteen.

Amendment and application of Part I. of the Prevention of Crime Act, 1908.

11.—(1) The term for which a person or youthful offender may be sentenced to detention in a Borstal institution under section one or section two of the Prevention of Crime Act, 1908, shall not be less than two years, and accordingly "two years" shall be substituted for "one year" in subsection (1) of section one and in section two respectively of that Act.

(2) The period for which a person sentenced to detention in a Borstal institution is on the expiration of the term of his sentence to remain under the supervision of the Prison Commissioners shall be one year, and accordingly "one year" shall be substituted for "six months" in subsection (1) of section six of the same Act.

(3) The maximum period for which a person so under the supervision of the Prison Commissioners may on recall to a Borstal institution be detained in such an institution shall be one year, and he may be so detained notwithstanding that the period of supervision has expired, and accordingly "one year" shall be substituted for "three months" in subsection (2) of section six of that Act.

(4) The provisions of Part I. of the Prevention of Crime Act, 1908, as so amended, shall apply to persons sentenced to detention in a Borstal institution under this Act in like manner as they apply to persons sentenced under that Part of that Act.

New Powers of dealing with Offenders.

Power to order detention for one day in precincts of the court.

12. Where a court of summary jurisdiction has power to pass a sentence of imprisonment, the court, in lieu of passing a sentence of imprisonment, may order that the offender be detained within the precincts of the court, or at any police station, till such hour, not later than eight in the evening on the day on which he is convicted, as the court may direct:

Provided that a court of summary jurisdiction shall, before making an order of detention under this section, take into consideration the distance between the place of detention and the offender's abode (if his abode is known to, or ascertainable by, the court), and shall not make any such order of detention under this section as will deprive the offender of a reasonable opportunity of returning to his abode on the day on which such order of detention is made.

Substitution of police custody for imprisonment in case of short sentences.

13.—(1) No person shall be sentenced to imprisonment by a court of summary jurisdiction for a period of less than five days.

(2) Where a person is liable to be sentenced to imprisonment by a court of summary jurisdiction, the court may, if any suitable places provided and certified in manner hereinafter appearing are available for the purpose, order the person to be detained therein for such period not exceeding four days as the court thinks fit, and the order shall be delivered with the offender to the person in charge of the place where the offender is to be detained, and shall be a sufficient authority for his detention in that place in accordance with the tenour thereof.

(3) The expenses of the maintenance of persons detained under this section shall be defrayed in like manner as the expenses of the maintenance of prisoners in prisons to which the Prison Act, 1877, applies.

40 & 41 Vict. c. 21.

(4) The Secretary of State may, on the application of any police authority, certify any police cells, bridewells, or other similar places provided by the authority to be suitable places for the detention of persons sentenced to detention under this section, and may make regulations for the inspection of places so provided, the treatment of persons detained therein, and generally for carrying this section into effect:

Provided that no place so certified shall be used for the detention of females unless provision is made for their supervision by female officers.

(5) For the purposes of this section the expression "police authority," with respect to the City of London, means the Commissioner of City Police, and with respect to other places has the same meaning as in the Police Act, 1890.

53 & 54 Vict. c. 45.

Provisions as to malicious damage to property.

14.—(1) If any person wilfully or maliciously commits any damage to any real or personal property whatsoever, either of a public or private nature, and the amount of the damage does not, in the opinion of the court, exceed twenty pounds, he shall be liable on summary conviction—

(*a*) if the amount of the damage, in the opinion of the court, exceeds five pounds, to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds; and

(*b*) if the amount of the damage is, in the opinion of the court, five pounds or less, to imprisonment for a term not exceeding two months or to a fine not exceeding five pounds ;

and in either case to the payment of such further amount as appears to the court reasonable compensation for the damage so committed which last-mentioned amount shall be paid to the party aggrieved :

Provided that this provision shall not apply where the alleged offender acted under a fair and reasonable supposition that he had a right to do the act complained of.

(2) So much of section fifty-one of the Malicious Damage Act, 1861, as limits the cases which may be dealt with under that section to cases where the damage, injury or spoil exceeds five pounds, shall be repealed but a court of summary jurisdiction shall not commit any person for trial for an offence under that section unless it is of opinion that the damage, injury or spoil exceeds five pounds. 24 & 25 Vict. c. 97.

(3) Except so far as otherwise provided in the last foregoing subsection, nothing in this section shall be construed as preventing a court of summary jurisdiction from committing a person for trial for an offence notwithstanding that the offence is an offence which the court has power to deal with summarily under this section.

15.—(1) "Twenty pounds" shall be substituted for "forty shillings" wherever those words occur in the second column of the First Schedule to the Summary Jurisdiction Act, 1879, or in the second column of the Schedule to the Summary Jurisdiction Act, 1899, in which columns are set forth the indictable offences for which an adult may, with his consent, be dealt with summarily. Extension of powers to deal with cases summarily. 62 & 63 Vict. c. 22.

In section twelve of the Summary Jurisdiction Act,1879, after the words "not exceeding twenty pounds" there shall be inserted the following words "or, if the value of the property which was "the subject of the offence, in the opinion of the court before which "the charge is brought, exceeds forty shillings, to be imprisoned "with or without hard labour for any term not exceeding six "months or to pay a fine not exceeding fifty pounds."

(2) Section fourteen of the same Act (which imposes certain restrictions on the power to deal summarily with adults charged with indictable offences) is hereby repealed.

(3) Where a child is charged before a court of summary jurisdiction with a felony, and the court, in pursuance of the power conferred by section ten of the same Act, as amended by any subsequent enactment, deals with the case summarily, the court may, notwithstanding anything in that section, inflict a fine not exceeding forty shillings as a punishment.

Imprisonment.

Hard labour and classification of prisoners.

16.—(1) Where imprisonment is imposed by any court in respect of the non-payment of any sum adjudged by that or any other court to be paid the imprisonment shall be without hard labour.

Where a person convicted by or before any court of an offence is sentenced to imprisonment without the option of a fine, the imprisonment may, in the discretion of the court, be either with or without hard labour, notwithstanding that the offence is an offence at common law or that the statute under which the sentence is passed does not authorise the imposition of hard labour or requires the imposition of hard labour.

61 & 62 Vict. c. 41.

(2) If no direction is given by a court in pursuance of the powers conferred by section six of the Prison Act, 1898, as to the division in which an offender is to be placed, the offender shall, subject to the provisions of that section, be treated as an offender of the third division unless the visiting committee consider the case suitable for treatment in the second division, and direct that the offender be so treated.

Subsection (2) of that section shall be amended by the insertion after the words "without hard labour" of the words "or committed to prison for non-payment of a fine."

(3) A court or visiting committee shall not direct an offender to be treated as an offender of the second division if his character and antecedents are such that he is likely to exercise a bad influence on first offenders.

(4) The provisions of subsections (1) and (2) of section six of the Prison Act, 1898, as amended by this section, which relate to the classification of offenders sentenced to imprisonment for offences, shall apply to cases where the person is sentenced to imprisonment for failing to do or to abstain from doing any act or thing required to be done or left undone.

(5) Subsection (3) of the same section (which requires that certain prisoners shall be placed in a separate division and treated under special rules and shall not be placed in association with criminal prisoners nor be compelled to wear prison dress unless their own clothing is unfit for use), shall extend to persons committed to prison for contempt of court, and accordingly the words "or for contempt of court" shall be inserted in that subsection after the words "hard labour."

Commitment and removal of prisoners.

17. There shall be substituted for sections twenty-four, twenty-five, twenty-six, and twenty-seven of the Prison Act, 1877, the following provisions :—

(1) The Secretary of State may from time to time by any general or special rule under the Prison Acts, 1865 to 1902, appropriate, either wholly or partially, particular prisons within his jurisdiction to particular classes of prisoners :

(2) A prisoner sentenced to imprisonment or committed to prison on remand, or pending trial, or otherwise, may be lawfully confined in any prison to which the Prison Acts, 1865 to 1902, apply:

(3) Prisoners shall be committed to such prisons as the Secretary of State may from time to time direct; and may on the like direction be removed therefrom during the term of their imprisonment to any other prison:

(4) Where a prisoner is discharged from a prison situate beyond the limits of the county, borough, or place in which he was arrested, the cost of his return to the place in which he was at the time of his arrest or to the place where he was convicted, whichever is the nearest, shall be paid out of moneys provided by Parliament on account of prisons:

(5) A prisoner shall not in any case be liable to pay the costs of his conveyance to prison:

(6) The Secretary of State, on being satisfied that a prisoner is suffering from disease and cannot be properly treated in the prison, or that he should undergo and desires to undergo a surgical operation which cannot properly be performed in the prison, may order that the prisoner be taken to a hospital or other suitable place for the purpose of treatment or the operation, and while absent from the prison in pursuance of such an order the prisoner shall be deemed to be in legal custody.

Consecutive sentences of imprisonment.

18. Where a sentence of imprisonment is passed on any person by a court of summary jurisdiction, the court may order that the sentence shall commence at the expiration of any other term of imprisonment to which that person has been previously sentenced, so however that where two or more sentences passed by a court of summary jurisdiction are ordered to run consecutively the aggregate term of imprisonment shall not exceed six months, unless such sentences included at least two sentences for indictable offences dealt with summarily by consent or on a plea of guilty, in which case the aggregate term of imprisonment shall not exceed twelve months.

Bail and Remand.

Continuous bail.

19. Where a person is remanded on bail the recognisance may be conditioned for his appearance at every time and place to which during the course of the proceedings the hearing may be from time to time adjourned, without prejudice, however, to the power of the court to vary the order at any subsequent hearing.

Powers of remand.

20.—(1) A court of summary jurisdiction, on being satisfied that a person accused of any offence who has been remanded is by reason of illness or accident unable at the expiration of the period for which he was remanded to appear personally before the court, may, in the absence of the accused person, order him to be further remanded for such time as may be deemed reasonable.

(2) The period for which a court of summary jurisdiction may remand on bail a person accused of an indictable offence may, if that person and the prosecutor consent, exceed eight days, and accordingly in section twenty-one of the Indictable Offences Act, 1848, after the words "not exceeding" where they first occur in that section, there shall be inserted the words "unless the person remanded and the prosecutor consent."

11 & 12 Vict. c. 42.

Endorsement on warrants as to release on bail.

21.—(1) A justice on issuing a warrant for the arrest of any person may, if he thinks fit, by endorsement on the warrant, direct that the person named in the warrant be on arrest released on his entering into such a recognisance, with or without sureties, for his appearance as may be specified in the endorsement, and the endorsement shall fix the amounts in which the principal and sureties (if any) are to be bound.

(2) Where such an endorsement is made, the officer in charge of any police station to which on arrest the person named in the warrant is brought shall discharge him upon his entering into a recognisance, with or without sureties approved by that officer, in accordance with the endorsement, conditioned for his appearance before the court and at the time and place named in the recognisance.

Release on bail of a person arrested without warrant. 42 & 43 Vict. c. 49.

22. For section thirty-eight of the Summary Jurisdiction Act, 1879, the following section shall be substituted:—

"On a person being taken into custody for an offence without a warrant, a superintendent or inspector of police, or other officer of police of equal or superior rank, or in charge of any police station, may in any case, and shall, if it will not be practicable to bring such person before a court of summary jurisdiction within twenty-four hours after he was so taken into custody, inquire into the case, and, unless the offence appears to such superintendent, inspector, or officer to be of a serious nature, discharge the person upon his entering into a recognisance with or without sureties for a reasonable amount to appear before some court of summary jurisdiction at the time and place named in the recognisance, but where such person is retained in custody he shall be brought before a court of summary jurisdiction as soon as practicable."

Notice of right to apply for bail.

23. Where a court of summary jurisdiction commits a person charged with any misdemeanour for trial and does not admit him to bail the court shall inform the person accused of his right to apply for bail to a judge of the High Court of Justice.

24. For removing doubts it is hereby declared that where as a condition of the release of any person he is required to enter into a recognisance with sureties, the recognisances of the sureties may be taken separately and either before or after the recognisances of the principal, and if so taken the recognisances of the principal and sureties shall be as binding as if they had been taken together and at the same time.

Declaration of law as to mode of entering into recognisance.

Miscellaneous and General.

25.—(1) The following provision shall be substituted for subsection (3) of section twenty-one of the Summary Jurisdiction Act, 1879:—

Manner of enforcing payment of sums adjudged to be paid.

"Where a sum is adjudged to be paid by a conviction of a court of summary jurisdiction, or in the case of a sum not a civil debt by an order of such court, and on default of payment of such sum a warrant of distress is authorised to be issued, the court may, in any case in which it appears expedient to do so, instead of issuing a warrant of distress, issue a warrant of commitment:

Provided that where time is not allowed for the payment of such sum, a warrant of commitment shall not be issued in the first instance unless it appears to the court that the offender has no goods or insufficient goods to satisfy the money payable or that the levy of distress will be more injurious to him or his family than imprisonment."

(2) Where a sum is adjudged to be paid by a conviction or order of a court of summary jurisdiction, and, by the statute authorising such conviction or order, a mode of enforcing the payment thereof is provided which does not authorise the issue of a warrant of distress for the purpose, a warrant of distress may nevertheless be issued in like manner in all respects and with the like consequences as if no mode of enforcing the payment were provided in such statute.

26.—(1) An order under subsection (2) of section four of the Penal Servitude Act, 1891, remitting any of the requirements of sections five and eight of the Prevention of Crimes Act, 1871, in the case of any holder of a licence or person subject to the supervision of the police, may be made conditional on the observance of such conditions as may be specified in the order, and if the Secretary of State is satisfied that any condition imposed by the order has been contravened he may cancel the order.

Provisions with respect to holders of licences and persons under police supervision. 54 & 55 Vict. c. 69. 34 & 35 Vict. c. 112.

(2) Where His Majesty has been pleased to revoke the licence granted to any convict under the Penal Servitude Acts, 1853 to 1891, the convict shall thereupon be liable to be arrested without warrant by any constable and brought before a court of summary jurisdiction, and the court on being satisfied that he is the convict named in the licence and that the licence has been

revoked, shall commit him to prison and forthwith send notice to the Secretary of State.

Power to issue warrants of arrest in certain cases.

27. It is hereby declared that where at common law or under any Act, whether passed before or after the commencement of this Act, there is power to arrest a person without warrant, a warrant for his arrest may be issued.

Provisions as to evidence.

28.—(1) The record or extract by which a conviction may be proved under section eighteen of the Prevention of Crimes Act, 1871, may in the case of a summary conviction consist of a copy of the minute or memorandum of the conviction entered in the register required to be kept under section twenty-two of the Summary Jurisdiction Act, 1879, purporting to be signed by the clerk of the court by whom the register is kept.

8 Edw. 7. c. 67.

(2) The provisions of section thirty of the Children Act, 1908 (which enables the evidence of a child of tender years to be received though not given on oath), shall apply to proceedings against persons for offences not mentioned in that section, in like manner as they apply in respect of proceedings against persons for offences mentioned in that section.

(3) The wife or husband of a person charged with bigamy may be called as a witness either for the prosecution or defence and without the consent of the person charged.

(4) In any proceedings before a court of summary jurisdiction to enforce the payment of a sum of money adjudged by that or any other court of summary jurisdiction to be paid by one person to another person, then—

(*a*) if the person to whom the sum is ordered to be paid was an officer of a court of summary jurisdiction, the production of a certificate purporting to be signed by that officer that the sum has not been paid to him; and

(*b*) in any other case the production of a statutory declaration to a like effect purporting to be made by the person to whom the sum is ordered to be paid;

shall be evidence of the facts therein stated, unless the court requires such officer or other person to be called as a witness.

Power of justices to order production of documents.
11 & 12 Vict. c. 42.
11 & 12 Vict. c. 43.

29. The provisions of section sixteen of the Indictable Offences Act, 1848, section seven of the Summary Jurisdiction Act, 1848, and section thirty-six of the Summary Jurisdiction Act, 1879, enabling a justice to issue a summons to any witness to attend to give evidence before a court of summary jurisdiction, shall be deemed to include the power to summon and require a witness to produce to such court books, plans, papers, documents, articles, goods, and things likely to be material evidence on the hearing of any charge, information, or complaint, and the provisions of those sections relating to the neglect or refusal of a witness, without just excuse, to attend to give evidence, or to be sworn, or to give evidence, shall apply accordingly.

Periodical payments ordered by courts of summary jurisdiction.

30.—(1) Where a court of summary jurisdiction orders money to be paid periodically by one person to another, the court may, if it thinks fit, order that the payment shall be made through an officer of the court or any other person or officer specified in the order.

(2) Where a court of summary jurisdiction has either before or after the commencement of this Act ordered money to be paid periodically by one person to another, the court which made the order, or any other court of summary jurisdiction for the same petty sessional division, may, if it thinks fit, order that the payment shall be made through an officer of the court or any other person or officer specified in the order.

(3) Any order made either before or after the commencement of this Act by a court of summary jurisdiction for the periodical payment of money may, upon cause being shown upon fresh evidence to the satisfaction of the court, be revoked, revived, or varied by a subsequent order.

(4) Where a court of summary jurisdiction makes an order for the periodical payment of money through an officer of the court or other person or officer specified in the order, the authority having the control of the fund out of which the salary of the clerk of that court is paid may pay to that officer or person out of that fund, in manner provided by rules made by the Secretary of State, a sum not exceeding five pounds per centum on the money actually paid through him in pursuance of the order, as remuneration to him in respect of the work done and expenses incurred by him in respect of the order.

(5) Nothing in this section shall prejudice or affect the powers and duties of courts of summary jurisdiction under the Affiliation Orders Act, 1914. 4 & 5 Geo. 5. c. 6.

Costs.

31. A court of summary jurisdiction to which an application is made for an order for the periodical payment of money, or for the variation, revocation, revival, or enforcement of such an order, may make an order for the payment by the applicant or the defendant, or both of them, of the costs of the court and such reasonable costs of either of the parties as the court thinks fit.

Recovery of arrears on bastardy orders, &c.

32.—(1) It is hereby declared that, notwithstanding anything in section fifty-four of the Summary Jurisdiction Act, 1879, the provisions of section eleven of the Summary Jurisdiction Act, 1848 (which relate to the time within which summary proceedings are to be taken), do not apply to proceedings for enforcing the payment of sums adjudged to be paid by an order in any matter of bastardy or by an order enforceable as an order of affiliation.

(2) Proceedings for the enforcement of an order in any matter of bastardy or of an order enforceable as an order of affiliation may be taken at any time after the expiration of fourteen clear days from the making of the order, and accordingly

35 & 36 Vict. c. 65.

in section four of the Bastardy Laws Amendment Act, 1872, "after the expiration of fourteen clear days" shall be substituted for "after the expiration of one calendar month."

(3) Where in any proceedings for the enforcement of an order in any matter of bastardy or of an order enforceable as an order of affiliation the court commits the defendant to prison then, unless the court otherwise directs, no arrears shall accrue under the order during the time that the defendant is in prison.

Amendment of the law with respect to the recovery of rates.

33. The provisions of the Summary Jurisdiction Acts relating to the backing of warrants, and of section forty-one of the Summary Jurisdiction Act, 1879, relating to the proof of service of documents and of the handwriting and seal on documents, shall apply to proceedings in respect of the non-payment of any rate.

Appointment and remuneration of and accounting by justices' clerks.

34.—(1) Clerks to justices shall continue to be appointed as heretofore, but no appointment made after the commencement of this Act shall be valid unless and until it is confirmed by the Secretary of State, and the Secretary of State shall, before confirming any such appointment, take into consideration any representations that may be made to him, in the case of the appointment of a clerk to borough justices by the council of the borough, and in the case of the appointment of a clerk to county justices by the standing joint committee of the county.

(2) Notwithstanding the provisions of any other general or local Act to the contrary, the salaries of clerks to justices shall be fixed and may from time to time be varied—

(*a*) in the case of a clerk to borough justices, by the justices of the borough; and

(*b*) in the case of a clerk to county justices, by the standing joint committee of the county:

Provided that—

(i) in the case of the salary of a clerk to borough justices, the council of the borough; and

(ii) in the case of the salary of a clerk to county justices, the county justices for whom the clerk acts; and

(iii) in either case where the proposal is for a reduction of salary, the clerk to the justices

may appeal to the Secretary of State against the decision of the justices or standing joint committee, as the case may be, and the amount of the salary shall thereupon be determined by the Secretary of State.

(3) If the justices for any petty sessional division make representations to the standing joint committee of the county with a view to the variation of the salary of their clerk, the standing joint committee shall at a meeting of which special notice has been given take into consideration the question of varying the salary.

(4) The authority by whom the salary of a clerk is fixed may allow him such special remuneration in addition to his salary as they may, subject to the approval of the Secretary of State, determine, in respect of any duties which were not taken into account in fixing his salary.

(5) Nothing in the foregoing provisions of this section shall apply to clerks at metropolitan police courts nor to the clerks to the justices of the city of London nor to the clerk to any stipendiary magistrate other than a stipendiary magistrate appointed under the Municipal Corporations Act, 1882. 45 & 46 Vict. c. 50.

(6) If any clerk to justices fails without sufficient reason to account for or pay over any sum within one month from the time when he was required to account for or pay over the sum under section six of the Justices' Clerks Act, 1877, he shall be deemed to have wilfully omitted to account for or pay over that sum within the meaning of that section, but no person shall sue for a sum recoverable under that section, as amended by this section, except the person or authority to whom the account or payment is required to be made. 40 & 41 Vict. c. 43.

35. For the removing of doubts it is hereby declared that the enactments mentioned in the Third Schedule to this Act (which relate to divers forms of blackmail) apply to cases where the person is dead— Punishment for accusation, &c. of dead person with intent to extort.

(*a*) who is accused, or whom it is proposed to accuse; or

(*b*) upon whom any libel is published, or is threatened to be published; or

(*c*) touching whom it is threatened to print or publish, or it is proposed to abstain from printing or publishing, or it is offered to prevent the printing or publishing of, any matter or thing;

and accordingly the words "(whether living or dead)" shall be inserted after the word "person" in those enactments as indicated in the third column of that schedule.

36.—(1) No person shall be sentenced to be whipped more than once for the same offence. Corporal punishment.

(2) No person shall be sentenced to be whipped otherwise than under a statutory enactment.

37.—(1) Any person aggrieved by any conviction of a court of summary jurisdiction in respect of any offence, who did not plead guilty or admit the truth of the information, may appeal from the conviction in manner provided by the Summary Jurisdiction Acts to a court of quarter sessions. Right of appeal from decision of court of summary jurisdiction.

(2) An appeal shall lie to a court of quarter sessions in manner provided by the Summary Jurisdiction Acts from any order made by a court of summary jurisdiction under the enactments relating to bastardy, or from any refusal by a court of summary jurisdiction to make such an order, or from the

revocation, revival, or variation by a court of summary jurisdiction of such an order.

One justice to be competent to exercise certain powers in respect of charges of drunkenness.

38. Notwithstanding any enactment to the contrary, it shall be sufficient for a court of summary jurisdiction to consist of one justice only when hearing, trying, adjudging, and determining a charge or information against any person of having been found drunk in any highway or other public place, whether a building or not, or on any licensed premises, under section twelve of the Licensing Act, 1872.

35 & 36 Vict. c. 94.

Convictions on indictments.

39.—(1) Where a prisoner is arraigned on an indictment for any offence, and can lawfully be convicted on such indictment of some other offence not charged in such indictment, he may plead not guilty of the offence charged in the indictment, but guilty of such other offence.

(2) If on the trial of any indictment for larceny it is proved that the defendant took any chattel, money, or valuable security in question in any such manner as would amount in law to obtaining it by false pretences with intent to defraud, the jury may acquit the defendant of larceny and find him guilty of obtaining the chattel, money, or valuable security by false pretences, and thereupon he shall be liable to be punished accordingly.

Rules.

40.—(1) The power of the Lord Chancellor to make rules under section twenty-nine of the Summary Jurisdiction Act, 1879, shall extend to the making of rules—

(*a*) for regulating the manner in which convictions and orders of courts of summary jurisdiction are to be drawn up, and in such cases as may be provided for by the rules, the transmission of such convictions and orders and any other documents therewith to the clerk of the peace and the filing of them by him, and

(*b*) for annulling, altering, or adding to the forms contained in the schedule to the Indictable Offences Act, 1848, and

(*c*) for regulating the procedure of courts of summary jurisdiction under this Act, and the procedure in any legal proceedings which under any Act, whether general or local, and whether passed before or after the commencement of this Act (other than the Summary Jurisdiction Acts), are to be taken before any police or stipendiary magistrate or other court of summary jurisdiction.

44 & 45 Vict. c. 24.

(2) His Majesty may, by Order in Council, make rules extending the operation of the Summary Jurisdiction (Process) Act, 1881, as amended by any subsequent enactment (which relates to the service and execution in Scotland of process issued by courts of summary jurisdiction in England, and in England of process issued by courts of summary jurisdiction and sheriff courts in Scotland, and to the jurisdiction of courts in England

and Scotland respectively in bastardy proceedings), so as to make the provisions of that Act, subject to the necessary adaptations, applicable as between any one part of the British Islands and any other part of the British Islands in like manner as it applies as between England and Scotland.

This subsection shall extend to the Isle of Man and the Channel Islands, and the Royal Courts of the Channel Islands shall register the same accordingly.

Definitions.

41. For the purposes of this Act, unless the context otherwise requires,—

(1) The expression "sentenced to imprisonment" shall include cases where imprisonment is imposed by a court on any person either with or without the option of a fine, or in respect of the non-payment of any sum of money, or for failing to do or abstaining from doing any act or thing required to be done or left undone, and the expression "sentence of imprisonment" shall be construed accordingly:

(2) The expressions "fine," "sum adjudged to be paid by a conviction," and "sum adjudged to be paid by an order," have the same meanings as in the Summary Jurisdiction Act, 1879.

Application to Scotland.

42. This Act in its application to Scotland shall be subject to the following modifications:—

(1) The Secretary for Scotland shall be substituted for the Secretary of State; the Prison Commissioners for Scotland shall be substituted for the Prison Commissioners; the Prisons (Scotland) Act, 1877, shall be substituted for the Prison Act, 1877; the Police (Scotland) Act, 1890, shall be substituted for the Police Act, 1890; an institution established in Scotland under Part I. of the Prevention of Crime Act, 1908, shall be substituted for a Borstal institution: a reference to a sum of money adjudged to be paid shall be deemed to be a reference to a penalty as defined in section two of the Summary Jurisdiction (Scotland) Act, 1908:

40 & 41 Vict. c. 53.

53 & 54 Vict. c. 67.

8 Edw. 7. c. 65.

(2) Section one of this Act shall not apply and in lieu thereof the following provisions shall be substituted:—

"(*a*) On conviction of any person by a court of summary jurisdiction the court shall allow time for the payment of any sum adjudged to be paid by such person in respect of such conviction, unless it is satisfied that he is possessed of sufficient means to enable him to pay the sum forthwith, or unless, upon being asked by the court

whether he desires that time should be allowed for payment, he does not express any such desire, or fails to satisfy the court that he has a fixed abode within its jurisdiction, or unless the court for any other special reason is satisfied that no time should be allowed ;

(*b*) Where any such person desires to be allowed time for payment, the court, in deciding what time shall be allowed, shall consider any representation made by him, but the time allowed shall not be less than seven clear days :

Provided that, if before the expiration of the time allowed the person convicted surrenders himself to the court and states that he prefers immediate imprisonment to awaiting the expiration of the time allowed, the court may authorise the clerk of court to issue forthwith an extract of the finding and sentence in the form of the Second Schedule to this Act, and the provisions of the Summary Jurisdiction (Scotland) Act, 1908, shall apply to such extract as if it were one of the forms included in Schedule E. to that Act ;

8 Edw. 7. c 65.

(*c*) Where a person so allowed time for payment as aforesaid appears to the court to be not less than sixteen nor more than twenty-one years of age, the court may, if it thinks fit and subject to any rules made under this Act, order that he be placed under the supervision of such person as may be appointed by the court until the sum adjudged to be paid is paid, and, in such case, before issuing an extract of the conviction and sentence, the clerk of court shall again lay the complaint before the court and the court shall consider any report as to the conduct and means of the offender which may be made by the person under whose supervision the offender has been placed ;

(*d*) In all cases where time is not allowed for payment the reasons of the court for not so allowing a time shall be stated in the finding and sentence " :

(3) Section two of this Act shall not apply, and in lieu thereof the following provisions shall be substituted :—

" Where time has been allowed for payment of a sum adjudged to be paid by any person in respect of his conviction by a court of summary jurisdiction, the court may, subject to any rules made under this Act, on an application by or on

behalf of such person, and after giving the prosecutor an opportunity of being heard, allow further time for the payment of such sum" :

(4) Section three of this Act shall not apply :

(5) Subsection (1) of section four of this Act shall apply as if references to proceedings for enforcing bastardy or maintenance orders were omitted therefrom. Subsection (2) of section four of this Act shall not apply :

(6) Section five of this Act shall not apply : Provided that in Scotland a court of summary jurisdiction in fixing the amount of any fine to be imposed on any offender shall take into consideration, amongst other things, the means of the offender so far as they appear or are known to the court :

(7) Section six of this Act shall not apply :

(8) Section ten of this Act shall not apply : Provided that in Scotland from and after such date as may be prescribed by the Secretary for Scotland section one of the Prevention of Crime Act, 1908, shall be construed as if after the words "penal servitude or imprisonment" there were inserted the words "or "is convicted by the sheriff summarily of an "offence for which he is liable to be sentenced to "imprisonment" :

(9) Section thirteen of this Act shall apply with the substitution of the expression "an extract of the finding and sentence" for the expression "the order" :

(10) Sections fourteen to twenty-five, both inclusive, subsections (1), (2), and (4) of section twenty-eight, sections twenty-nine to forty, both inclusive, and subsection (2) of section forty-one of this Act, shall not apply :

(11) Provision may be made by rules under the Prisons (Scotland) Act, 1877, for enabling a prisoner sentenced to imprisonment, whether by one sentence or cumulative sentences, for a period prescribed by the rules, to earn by special industry and good conduct a remission of a portion of his imprisonment, and on his discharge his sentence shall be deemed to have expired :

(12) It shall be lawful for the High Court of Justiciary by Act of Adjournal to make rules for regulating the procedure under this Act.

Application to Ireland.

43.—(1) The provisions of sections one to four inclusive, sections seven to twelve inclusive, sections sixteen to twenty-one inclusive, section twenty-four, subsection (2) of section twenty-five, sections twenty-six and twenty-seven, subsections (2) and (4) of section twenty-eight, sections thirty-five, thirty-six, and

thirty-nine, and subsection (1) of section forty-one of this Act shall apply to Ireland, subject to the following modifications, namely:—

(*a*) references to the Lord Lieutenant shall be substituted for references to the Secretary of State, and references to the General Prisons Board for Ireland shall be substituted for references to the Prison Commissioners;

(*b*) a reference to the Prisons (Ireland) Acts, 1826 to 1907, shall be substituted for any reference to the Prison Acts, 1865 to 1902, and a reference to sections thirty-six, thirty-seven, thirty-eight, and thirty-nine of the General Prisons (Ireland) Act, 1877, shall be substituted for the reference to sections twenty-four, twenty-five, twenty-six, and twenty-seven of the Prison Act, 1877.

40 & 41 Vict. c. 49.

(*c*) references to the Court of Criminal Appeal, the Criminal Appeal Act, 1907, and the Costs in Criminal Cases Act, 1908, and the provision of section two of this Act relative to payment by instalments, shall not apply; and

(*d*) subsection (2) of section twenty of this Act shall apply as respects the police district of Dublin metropolis only, and a reference to section twenty-one of the Indictable Offences (Ireland) Act, 1849, shall be substituted for the reference therein to section twenty-one of the Indictable Offences Act, 1848.

12 & 13 Vict. c. 69.

(2) A court of summary jurisdiction, in fixing the amount of any fine to be imposed on an offender, shall take into consideration, amongst other things, the means of the offender so far as they appear or are known to the court.

(3) Proceedings for the recovery in a summary manner of a penalty for an offence under the Births and Deaths Registration Act (Ireland), 1880, may be commenced at any time within three years after the commission of the offence.

43 & 44 Vict. c. 13.

(4) Where upon summary conviction an offender is adjudged to pay a penalty exceeding five pounds, the offender in case of non-payment thereof may without any warrant of distress be committed to prison for any term not exceeding the period for which he might be committed to prison in default of distress: Provided that where time is not allowed for the payment of the penalty a warrant of commitment shall not be issued in the first instance unless it appears to the court that the offender has no goods or insufficient goods to satisfy the penalty, or that the levy of distress would be more injurious to him or his family than imprisonment.

(5) So much of section three of the Fines Act (Ireland), 1851, as requires that a warrant for the execution of an order of a

14 & 15 Vict. c. 90.

divisional justice of the police district of Dublin metropolis for the imposition or levy of a penal sum shall be issued within one week from the making of the order, shall cease to have effect.

(6) Upon any information or complaint laid or made before a divisional justice of the police district of Dublin metropolis of an offence punishable on summary conviction, if the person charged resides within the limits of that district, the justice shall, notwithstanding that the offence has been or is alleged to have been committed outside those limits, have all the like powers, jurisdiction, and authority as he has upon an information or complaint laid or made of a similar offence committed or alleged to have been committed within those limits.

(7) So much of section twenty-two of the Petty Sessions (Ireland) Act, 1851, as relates to the liability of persons aiding, abetting, counselling, or procuring the commission of offences punishable on summary conviction shall, as amended by any subsequent enactment, extend to the police district of Dublin metropolis; and every person who aids, abets, counsels, or procures the commission of any such offence may be proceeded against and convicted in that district in any case where the principal offender may be convicted in that district, or where the offence of aiding, abetting, counselling, or procuring was committed in that district. 14 & 15 Vict. c. 93.

(8) Section three (which relates to boards of visitors for convict prisons), section six (which relates to divisions of prisoners), section eleven (which relates to orders for production of prisoners), and, so far as respects sentences of imprisonment passed after the commencement of this Act, section twelve (which relates to calculation of term of sentence) of the Prison Act, 1898, shall, as amended by this Act, extend to Ireland subject to the following modifications, namely :—

(*a*) references to the Lord Lieutenant shall be substituted for references to the Secretary of State;

(*b*) references to rules made by the General Prisons Board for Ireland with the approval of the Lord Lieutenant and Privy Council under the General Prisons (Ireland) Act, 1877, shall be substituted for any references to prison rules or special prison rules;

(*c*) a reference to section forty-nine of the General Prisons (Ireland) Act, 1877, shall be substituted for the reference to sections forty and forty-one of the Prison Act, 1877, and references to provisions of the Prison Act, 1865, or the Criminal Procedure Act, 1853, shall not apply. 28 & 29 Vict. c. 126. 16 & 17 Vict. c. 30.

(9) For removing doubts it is declared that in section twenty-four of the General Prisons (Ireland) Act, 1877, and section three of the Prisons (Ireland) Amendment Act, 1884 47 & 48 Vict. c. 36.

(which relate to visiting committees of prisons), the expressions "grand jury" and "grand juries" respectively, include, in the case of the county of Dublin, a grand jury of that county impanelled at a commission of oyer and terminer and general gaol delivery.

(10) The Lord Chancellor may make rules for the purposes of this Act regulating the procedure to be followed, and prescribing the forms to be used in summary proceedings and regulating and prescribing any other matter or thing which for the purposes aforesaid requires to be regulated or prescribed, and adapting to the requirements of this Act any forms relating to summary proceedings prescribed by or in pursuance of any other Act, and all rules so made shall be laid as soon as may be before both Houses of Parliament.

7 Will. 4. & 1 Vict. c. 25. 14 & 15 Vict. c. 92. 14 & 15 Vict. c. 93.

(11) An appeal under section twenty-seven of the Dublin Police Act, 1837, section twenty-three of the Summary Jurisdiction (Ireland) Act, 1851, or section twenty-four of the Petty Sessions (Ireland) Act, 1851, against a conviction of a court of summary jurisdiction in respect of an offence shall lie whatever may be the amount of the fine or the term of the imprisonment imposed.

(12) Where a person convicted of an offence by a court of summary jurisdiction is committed to prison by the court under section ten of this Act without sentence he may appeal under the Summary Jurisdiction Acts against the conviction, and the provisions of those Acts with respect to appeals shall apply accordingly.

(13) Upon any information, summons, or complaint laid or made before a court of summary jurisdiction in Ireland wherein the defendant is called upon to show cause why such defendant should not be bound over to keep the peace or be of good behaviour, the defendant shall be entitled to call witnesses and tender evidence at the hearing of the information, summons, or complaint.

(14) Save as provided in this section, the foregoing provisions of this Act shall not extend to Ireland.

Short title, commencement, and repeal.

44.—(1) This Act may be cited as the Criminal Justice Administration Act, 1914, and shall, save as otherwise expressly provided, come into operation on the first day of December nineteen hundred and fourteen.

(2) The enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

SCHEDULES.

FIRST SCHEDULE.

Sections 5, 6

Part I.

Table of Court Fees to be taken by Clerks to Justices of the Peace.

	£	s.	d.
Indictable Offences :—			
For the performance of all the several duties in every case committed for trial to the assizes or sessions, without regard to the number of prisoners included in the same charge - - - - -	1	5	0
(This fee does not cover taking recognizances or giving notice to the accused and his sureties when admitted to bail; nor attending to take the deposition of a witness prevented by sickness or otherwise from appearing in court; nor supplying a copy of depositions. In cases of dismissal the separate fees for information, &c., are chargeable.)			
For the performance of all the several duties (including commitment) in respect of any indictable offence dealt with summarily without regard to the number of persons charged in each case, and whether there is a conviction or not - - - - - - - -	0	15	0
Summary Adjudications :—			
For the performance of all the several duties up to and including conviction in respect of any charge for an offence (other than an indictable offence) punishable on summary conviction - - - - -	0	4	0
Elementary Education Acts :—			
Proceedings under the Acts, in each case, including summons, order, and conviction - - -	0	4	0
Distress warrants (if any) - - - -	0	1	0
Committal (if any) - - - - -	0	1	0

For services not covered by the foregoing fees the following fees may be charged :—

Appointment :—			
Of parochial or other officers (except constables), to contain the names of all the persons appointed at the same time to the same office in the parish, hamlet, or place, including notice and oath when necessary - - -	0	5	0
Of any constable (other than special) - - -	0	1	0
Of valuer, arbitrator, &c. - - - - -	0	10	0
Of special constables, if less than 28, for each person, to include notice, oath, and certificate - - -	0	1	0
If more than 28 are appointed on one occasion, for attending to summons, swear in, and make out appointments, and the business thereof, for each day - -	2	2	0

	£	*s.*	*d.*
ARMY ACT, 1881 (44 & 45 VICT. c. 58) :—			
Attestation of recruit (section 80 (4) (*d*)) - -	0	1	0
Descriptive return in relation to deserter (section 154 (6))	0	2	0
Certificate of civil conviction or acquittal (section 164) -	0	3	0
Warrant to provide carriages (section 112) - -	0	1	0
ATTENDANCE :—			
On a justice, to view deserted premises in order to affix notice or to give possession thereof, to view a highway, bridge, or nuisance, or to take an examination elsewhere than in court - - - - - -	0	6	8
If required to go more than one mile from the place of holding petty sessions, for each mile after the first (one way) - - - - - -	0	1	0
CASE FOR THE OPINION OF SUPERIOR COURT (20 & 21 VICT. c. 43, SECTION 3) :—			
Drawing case and copy, when the case does not exceed five folios of 90 words - - - - -	0	10	0
For every additional folio beyond five - - -	0	1	0
Taking recognizance as required by the Act - -	0	5	0
Every enlargement or renewal thereof - - -	0	2	6
For certificate of refusal of case - - - -	0	2	0
CERTIFICATE :—			
Every certificate not otherwise charged - - -	0	2	0
CERTIORARI :—			
Return to and filing - - - - -	0	13	4
CIVIL DEBT (not including Rates) :—			
Summons and copy - - - - -	0	1	6
Complaint - - - - - -	0	1	0
Order and copy - - - - - -	0	3	0
Oath (each witness) - - - - -	0	1	0
Judgment summons and copy, including hearing - -	0	3	0
Warrant of distress - - - - -	0	2	0
Commitment. (*See* Warrant.)			
COMPLAINT :—			
Every complaint not otherwise charged - - -	0	1	0
CONVICTION :—			
Every conviction, including returning same to the court (to include all persons convicted on the same charge, except in cases where all persons convicted on the same charge cannot be included in the same conviction) -	0	2	6
COPY :—			
Of depositions for prosecutor on the trial, per folio of 90 words - - - - - -	0	0	4
Of depositions for prisoner, under 11 & 12 Vict. c. 42. s. 27, per folio of 90 words, not exceeding - -	0	0	1½
Of any other document, per folio of 72 words - -	0	0	4
DUPLICATE :—			
For the duplicate of any document - - -	One-half the original fee.		
EXAMINATION. (*See* Information.)			

	£	s.	d.
EXHIBIT :—			
Each document annexed to or referred to in any affidavit or declaration and marked - - - -	0	1	0
EXPLOSIVES ACT, 1875 (38 VICT. c. 17) :—			
Store licence (s. 15), not exceeding - - -	0	5	0
Store licence, renewal (s. 18), not exceeding - -	0	1	0
Registering premises (s. 21), not exceeding - -	0	1	0
Registering premises, renewal, not exceeding - -	0	1	0
Small firework factory (s. 49) licence, not exceeding -	0	5	0
Small firework factory (s. 49) licence, renewal, not exceeding - - - - - - - -	0	1	0
EXTRADITION ACT, 1873 (36 & 37 VICT. c. 60. s. 5) :—			
For taking a deposition in pursuance of an order made by the Secretary of State - - - - -	1	1	0
Each subsequent deposition taken in pursuance of the same order - - - - - -	0	5	0
HEARING :—			
When no conviction or order is made - - -	0	1	0
INFORMATION :—			
Each information or examination (including oath) - -	0	1	0
JURY LISTS :—			
For forwarding lists with schedule to the clerk of the peace (25 & 26 Vict. c. 107. s. 9) - - -	0	2	6
Revision fee to be fixed by the local authority subject to approval of Secretary of State.			
LICENCES :—			
For every licence, consent, or authority not otherwise provided for, to include registration when necessary -	0	5	0
LIST :—			
Every list not otherwise provided for which it is the duty of the clerk to the justices to make or transmit - -	0	2	6
NOTICE :—			
Every notice not otherwise provided for - - -	0	1	0
OATH :—			
Every oath, affirmation, or solemn declaration not otherwise charged - - - - - -	0	1	0
(*Vide note at end of table.*)			
ORDER :—			
Order, certificate, or record of proceedings in case of deserted premises, or relating to a highway, bridge, or nuisance, or for protecting separate property of a married woman - - - - - -	0	5	0
Order as to the settlement, removal, or maintenance of a pauper or lunatic, or in case of fraudulent removal of goods - - - - - - -	0	5	0
Order for payment of allowance to special constables (one order to include all the constables appointed) - -	0	2	0
Every order or minute thereof not otherwise charged -	0	3	0
Order as to the affiliation of a bastard or under the Summary Jurisdiction (Married Women) Act, 1895 - -	0	2	0
Variation, revocation, or revival of order - - -	0	1	0
PRECEPT :—			
Every precept - - - - - -	0	1	6

	£	*s.*	*d.*
RATE :—			
Amending a rate, each name	0	1	0
Taxing costs and order thereon	0	3	0
Order on appeal	0	5	0
Order for adjourning appeal, if required	0	1	0
Allowance of rate	0	2	0
Enforcement of any poor, general district, or other rate, to include complaint, summons, and all other proceedings for which separate fees are not provided hereunder	0	2	0
Order	0	2	0
Warrant of distress	0	2	0
Judgment summons (including hearing)	0	2	6
Summons (if any) in poor rate cases to show cause why defaulter should not be committed	0	2	0
Commitment	0	2	0
If more than one rate is included in the summons, for each rate after the first	0	0	6
When the form of warrant provided for by 12 & 13 Vict. c. 14. s. 3 is used, for each name inserted in the schedule over and above eight	0	0	3
RECOGNIZANCE :—			
Every recognizance	0	2	6
Notice to each person bound	0	0	6
SUMMONS:—			
Every summons (to include all the names included in the same charge or intended to be summoned as witnesses in the same case for the prosecution or defence if applied for at the same time)	0	1	0
Every copy	0	0	6
Backing summons for service from outside jurisdiction	0	1	0
WARRANT:—			
Every warrant of distress when not otherwise provided for	0	2	0
To commit after conviction or order in which the conviction or order is set forth	0	2	0
Every other warrant	0	1	0
Return to warrant or endorsing warrant, including oath	0	1	0
Backing warrant for execution from outside jurisdiction	0	1	0

NOTE.—Nothing herein contained shall be construed to authorise the demand of any fee for re-swearing any person to any examination, or for any oath, affirmation, or declaration to obtain pay, pension, or allowance from government or friendly society, or charitable fund, or for any declaration relating to lost duplicates of articles pledged where the amount advanced on such articles does not exceed 20*s.*, or in any other case where an Act of Parliament directs that no fee shall be taken.

PART II.

MATTERS TO WHICH PART I. DOES NOT APPLY.

1. Matters in respect of which fees are authorised to be charged by the Licensing (Consolidation) Act, 1910 (10 Edw. 7 and 1 Geo. 5. c. 24).

2. Billiard licences, under section ten of the Gaming Act, 1844 (8 & 9 Vict. c. 109).

3. Theatre licences, under section six of the Theatres Act, 1843 (6 & 7 Vict. c. 68).

4. The registration of music and dancing licences under section fifty-one of the Public Health Act, 1890 (53 & 54 Vict. c. 59).

5. Licences under the Cinematograph Act, 1909 (9 Edw. 7. c. 30).

6. Assessment appeals under the Valuation Metropolis Act, 1869 (32 & 33 Vict. c. 67).

7. Formal investigations into shipping casualties under section four hundred and seventy-nine of the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

8. Appeals from pilotage authority under section twenty-eight of the Pilotage Act, 1913 (2 & 3 Geo. 5. c. 31).

SECOND SCHEDULE.

Section 42.

Sentence £ , fine payable within days or days' imprisonment. In respect of which sentence the accused, having surrendered himself to the court and stated that he prefers immediate imprisonment to waiting the expiration of the time allowed, warrant is hereby granted to officers of law to convey the accused to the prison of [*place*] and for the detention of the accused therein until such fine is paid, but not exceeding days from the date of imprisonment.

THIRD SCHEDULE.

Section 35.

Amendment of Enactments relating to Blackmail.

Session and Chapter.	Short Title.	Amendment of Enactment by insertion of words "(whether living or dead)."
6 & 7 Vict. c. 96. s. 3.	The Libel Act, 1843 -	After the words "any libel upon any other person," and "any "matter or thing touching any "other person."
24 & 25 Vict. c. 96. s. 46.	The Larceny Act, 1861	After the words "to accuse any other person."
s. 47.	- - - -	After the words "or any other person."
s. 48.	- - - -	After the words "accuse any person."

Section 44.

FOURTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
3 Jas. 1. c. 10.	An Acte for the rating and levying of the charges for conveying Malefactors and Offenders to the Gaole.	The whole Act so far as unrepealed.
15 Geo. 2. c. 24.	The Justices Commitment Act, 1741.	The whole Act.
26 Geo. 2. c. 14.	The Justices' Clerks' Fees Act, 1753.	The whole Act.
27 Geo. 2. c. 3.	The Offenders (Conveyance) Act, 1754.	The whole Act so far as unrepealed.
27 Geo. 2. c. 16.	The Justices' Clerks' Fees (Middlesex) Act, 1754.	Section four.
54 Geo. 3. c. 170.	The Poor Relief Act, 1814.	Section twelve from "and if sufficient distress" to the end of the section.
7 Geo. 4. c. 74.	The Prisons (Ireland) Act, 1826.	In section six, the words "hereinafter enumerated," and from "provision shall be made," to "vagrants," section one hundred and nine.
1 & 2 Will. 4. c. 44.	The Tumultuous Risings (Ireland) Act, 1831.	In sections two, three, four, five and six, the words "twice or thrice."
5 & 6 Will. 4. c. 50.	The Highway Act, 1835	Section one hundred and ten, so far as it relates to clerks to justices.
5 & 6 Vict. c. 28.	The Capital Punishment (Ireland) Act, 1842.	In section eight, the words "twice or thrice."
5 & 6 Vict. c. 51.	The Treason Act, 1842	In section two, the words "as often and" and "not exceeding thrice."

Session and Chapter.	Title or Short Title.	Extent of Repeal.
11 & 12 Vict. c. 42.	The Indictable Offences Act, 1848.	Section twenty-six from "Provided nevertheless" to the end of the section.
11 & 12 Vict. c. 43.	The Summary Jurisdiction Act, 1848.	In section fourteen the words from "and the conviction or "order shall afterwards be "drawn up" to "quarter sessions of the peace." Section twenty-one the words "and conveying of a defendant to prison." Section twenty-three from "and also the costs" to "think fit so to order." Section twenty-five from "and it shall be lawful" to the end of the section.
13 & 14 Vict. c. 101.	The Poor Law Amendment Act, 1850.	In section seven the words "by "the justices of the peace "at their respective general "quarter sessions."
14 & 15 Vict. c. 55.	The Criminal Justice Administration Act, 1851.	Section nine, except so far as that section relates to clerks of the peace.
14 & 15 Vict. c. 93.	The Petty Sessions (Ireland) Act, 1851.	In section twenty-two, paragraph (6).
20 & 21 Vict. c. 43.	The Summary Jurisdiction Act, 1857.	In section three the words from "which fees" to "section thirty," and Schedule A.
24 & 25 Vict. c. 97.	The Malicious Damage Act, 1861.	In section fifty-one the words "the damage, injury, or spoil "being to an amount exceeding "five pounds" and sections fifty-two and fifty-three, so far as those words and sections relate to England.
26 & 27 Vict. c. 44.	The Garrotters Act, 1863.	In section one, the words "twice or thrice."
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	Section two hundred and forty-six and the table of fees therein referred to, so far as the same relate to England.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
39 & 40 Vict. c. 61.	The Divided Parishes and Poor Law Amendment Act, 1876.	Section thirty-two.
40 & 41 Vict. c. 21.	The Prison Act, 1877 -	Sections twenty-four, twenty-five, twenty-six, twenty-seven, and forty-one, and in section fifty-seven the words "in respect of "his conveyance to prison or "otherwise."
40 & 41 Vict. c. 43.	The Justices' Clerks Act, 1877.	Section eight.
40 & 41 Vict. c. 49.	The General Prisons (Ireland) Act, 1877.	Sections thirty-six, thirty-seven, thirty-eight, thirty-nine, and forty-eight, in section three, the words "in respect of his "conveyance to prison or "otherwise," in section twelve, from "no rule" to the end of the section.
42 & 43 Vict. c. 49.	The Summary Jurisdiction Act, 1879.	Section five from "And such imprisonment" to the end of the section. Section fourteen. Section eighteen. Subsections (3) and (4) of section twenty-one. Subsection (2) of section twenty-two from "but nothing in this section" to the end of that subsection. Paragraph (6) of section twenty-seven.
61 & 62 Vict. c. 41.	The Prison Act, 1898 -	Subsection (4) of section six and section nine.
4 Edw. 7. c. 15.	The Prevention of Cruelty to Children Act, 1904.	Section fifteen.
7 Edw. 7. c. 17.	The Probation of Offenders Act, 1907.	Subsection (2) of section two, and section five.
8 Edw. 7. c. 59.	The Prevention of Crimes Act, 1908.	In subsection (2) of section six from "and at latest within three months" to the end of that subsection.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
8 Edw. 7. c. 67.	The Children Act, 1908	In section thirty the words "under this Part of this Act" or for any of the offences "mentioned in the First "Schedule to this Act, the "child in respect of whom the "offence is charged to have "been committed or" and the word "other" where it first occurs in the same section.

CHAPTER 59.

Amended by the Bankruptcy Act 1926 (c. ?)

An Act to consolidate the Law relating to Bankruptcy. [10th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Proceedings from Act of Bankruptcy to Discharge.

Acts of Bankruptcy.

Acts of bankruptcy.

1.—(1) A debtor commits an act of bankruptcy in each of the following cases:—

(*a*) If in England or elsewhere he makes a conveyance or assignment of his property to a trustee or trustees for the benefit of his creditors generally;

(*b*) If in England or elsewhere he makes a fraudulent conveyance, gift, delivery, or transfer of his property, or of any part thereof;

(*c*) If in England or elsewhere he makes any conveyance or transfer of his property or any part thereof, or creates any charge thereon, which would under this or any other Act be void as a fraudulent preference if he were adjudged bankrupt;

(*d*) If with intent to defeat or delay his creditors he does any of the following things, namely, departs out of England, or being out of England remains out of England, or departs from his dwelling-house, or otherwise absents himself, or begins to keep house;

(*e*) If execution against him has been levied by seizure of his goods under process in an action in any court, or

in any civil proceeding in the High Court, and the goods have been either sold or held by the sheriff for twenty-one days :

Provided that, where an interpleader summons has been taken out in regard to the goods seized, the time elapsing between the date at which such summons is taken out and the date at which the proceedings on such summons are finally disposed of, settled, or abandoned, shall not be taken into account in calculating such period of twenty-one days ;

(*f*) If he files in the court a declaration of his inability to pay his debts or presents a bankruptcy petition against himself :

(*g*) If a creditor has obtained a final judgment or final order against him for any amount, and, execution thereon not having been stayed, has served on him in England, or, by leave of the court, elsewhere, a bankruptcy notice under this Act, and he does not, within seven days after service of the notice, in case the service is effected in England, and in case the service is effected elsewhere, then within the time limited in that behalf by the order giving leave to effect the service, either comply with the requirements of the notice or satisfy the court that he has a counter-claim set off or cross demand which equals or exceeds the amount of the judgment debt or sum ordered to be paid, and which he could not set up in the action in which the judgment was obtained, or the proceedings in which the order was obtained :

For the purposes of this paragraph and of section two of this Act, any person who is, for the time being, entitled to enforce a final judgment or final order, shall be deemed to be a creditor who has obtained a final judgment or final order.

(*h*) If the debtor gives notice to any of his creditors that he has suspended, or that he is about to suspend, payment of his debts.

(2) In this Act, the expression "a debtor," unless the context otherwise implies, includes any person, whether a British subject or not, who at the time when any act of bankruptcy was done or suffered by him—

(*a*) was personally present in England ; or

(*b*) ordinarily resided or had a place of residence in England ; or

(*c*) was carrying on business in England, personally, or by means of an agent or manager ; or

(*d*) was a member of a firm or partnership which carried on business in England.

Bankruptcy notices.

2. A bankruptcy notice under this Act shall be in the prescribed form, and shall require the debtor to pay the

judgment debt or sum ordered to be paid in accordance with the terms of the judgment or order, or to secure or compound for it to the satisfaction of the creditor or the court, and shall state the consequences of non-compliance with the notice, and shall be served in the prescribed manner:

Provided that a bankruptcy notice—

(i) may specify an agent to act on behalf of the creditor in respect of any payment or other thing required by the notice to be made to, or done to the satisfaction of, the creditor;

(ii) shall not be invalidated by reason only that the sum specified in the notice as the amount due exceeds the amount actually due, unless the debtor within the time allowed for payment gives notice to the creditor that he disputes the validity of the notice on the ground of such misstatement; but, if the debtor does not give such notice, he shall be deemed to have complied with the bankruptcy notice if within the time allowed he takes such steps as would have constituted a compliance with the notice had the actual amount due been correctly specified therein.

Receiving Order.

Jurisdiction to make receiving order.

3. Subject to the conditions herein-after specified, if a debtor commits an act of bankruptcy the court may, on a bankruptcy petition being presented either by a creditor or by the debtor, make an order, in this Act called a receiving order, for the protection of the estate.

Conditions on which creditor may petition.

4.—(1) A creditor shall not be entitled to present a bankruptcy petition against a debtor unless—

(*a*) the debt owing by the debtor to the petitioning creditor, or, if two or more creditors join in the petition, the aggregate amount of debts owing to the several petitioning creditors, amounts to fifty pounds, and

(*b*) the debt is a liquidated sum, payable either immediately or at some certain future time, and

(*c*) the act of bankruptcy on which the petition is grounded has occurred within three months before the presentation of the petition, and

(*d*) the debtor is domiciled in England, or within a year before the date of the presentation of the petition has ordinarily resided, or had a dwelling-house or place of business, in England, or (except in the case of a person domiciled in Scotland or Ireland or a firm or partnership having its principal place of business in Scotland or Ireland) has carried on business in England, personally or by means of an agent or manager, or (except as aforesaid) is or within the said period has been a member of a firm

or partnership of persons which has carried on business in England by means of a partner or partners, or an agent or manager,

nor, where a deed of arrangement has been executed, shall a creditor be entitled to present a bankruptcy petition founded on the execution of the deed, or on any other act committed by the debtor in the course or for the purpose of the proceedings preliminary to the execution of the deed, in cases where he is prohibited from so doing by the law for the time being in force relating to deeds of arrangement.

(2) If the petitioning creditor is a secured creditor, he must in his petition either state that he is willing to give up his security for the benefit of the creditors in the event of the debtor being adjudged bankrupt, or give an estimate of the value of his security. In the latter case, he may be admitted as a petitioning creditor to the extent of the balance of the debt due to him, after deducting the value so estimated in the same manner as if he were an unsecured creditor.

Proceedings and order on creditor's petition.

5.—(1) A creditor's petition shall be verified by affidavit of the creditor, or of some person on his behalf having knowledge of the facts, and served in the prescribed manner.

(2) At the hearing the court shall require proof of the debt of the petitioning creditor, of the service of the petition, and of the act of bankruptcy, or, if more than one act of bankruptcy is alleged in the petition, of some one of the alleged acts of bankruptcy, and, if satisfied with the proof, may make a receiving order in pursuance of the petition.

(3) If the court is not satisfied with the proof of the petitioning creditor's debt, or of the act of bankruptcy, or of the service of the petition, or is satisfied by the debtor that he is able to pay his debts, or that for other sufficient cause no order ought to be made, the court may dismiss the petition.

(4) When the act of bankruptcy relied on is non-compliance with a bankruptcy notice to pay, secure, or compound for a judgment debt, or sum ordered to be paid, the court may, if it thinks fit, stay or dismiss the petition on the ground that an appeal is pending from the judgment or order.

(5) Where the debtor appears on the petition, and denies that he is indebted to the petitioner, or that he is indebted to such an amount as would justify the petitioner in presenting a petition against him, the court, on such security (if any) being given as the court may require for payment to the petitioner of any debt which may be established against him in due course of law, and of the costs of establishing the debt, may, instead of dismissing the petition, stay all proceedings on the petition for such time as may be required for trial of the question relating to the debt.

(6) Where proceedings are stayed, the court may, if by reason of the delay caused by the stay of proceedings or for any other cause it thinks just, make a receiving order on the petition

of some other creditor, and shall thereupon dismiss, on such terms as it thinks just, the petition in which proceedings have been stayed as aforesaid.

(7) A creditor's petition shall not, after presentment, be withdrawn without the leave of the court.

Debtor's petition and order thereon.

6.—(1) A debtor's petition shall allege that the debtor is unable to pay his debts, and the presentation thereof shall be deemed an act of bankruptcy without the previous filing by the debtor of any declaration of inability to pay his debts, and the court shall thereupon make a receiving order.

(2) A debtor's petition shall not, after presentment, be withdrawn without the leave of the court.

Effect of receiving order

7.—(1) On the making of a receiving order an official receiver shall be thereby constituted receiver of the property of the debtor, and thereafter, except as directed by this Act, no creditor to whom the debtor is indebted in respect of any debt provable in bankruptcy shall have any remedy against the property or person of the debtor in respect of the debt, or shall commence any action or other legal proceedings, unless with the leave of the court and on such terms as the court may impose.

(2) But this section shall not affect the power of any secured creditor to realise or otherwise deal with his security in the same manner as he would have been entitled to realise or deal with it if this section had not been passed.

Power to appoint interim receiver.

8. The court may, if it is shown to be necessary for the protection of the estate, at any time after the presentation of a bankruptcy petition, and before a receiving order is made, appoint the official receiver to be interim receiver of the property of the debtor, or of any part thereof, and direct him to take immediate possession thereof or of any part thereof.

Power to stay pending proceedings.

9.—(1) The court may, at any time after the presentation of a bankruptcy petition, stay any action, execution, or other legal process against the property or person of the debtor, and any court in which proceedings are pending against a debtor may, on proof that a bankruptcy petition has been presented by or against the debtor, either stay the proceedings or allow them to continue on such terms as it may think just.

(2) Where the court makes an order staying any action or proceeding, or staying proceedings generally, the order may be served by sending a copy thereof, under the seal of the court, by post to the address for service of the plaintiff or other party prosecuting such proceeding.

Power to appoint special manager.

10.—(1) The official receiver of a debtor's estate may, on the application of any creditor or creditors, and if satisfied that the nature of the debtor's estate or business or the interests of the creditors generally require the appointment of a special manager of the estate or business other than the official receiver,

appoint a manager thereof accordingly to act until a trustee is appointed, and with such powers (including any of the powers of a receiver) as may be entrusted to him by the official receiver.

(2) The special manager shall give security and account in such manner as the Board of Trade may direct.

(3) The special manager shall receive such remuneration as the creditors may, by resolution at an ordinary meeting, determine, or, in default of any such resolution, as may be prescribed.

Advertisement of receiving order.

11. Notice of every receiving order, stating the name, address, and description of the debtor, the date of the order, the court by which the order is made, and the date of the petition, shall be gazetted and advertised in a local paper in the prescribed manner.

Power to rescind receiving order in certain cases.

12. If in any case where a receiving order has been made on a bankruptcy petition it appears to the court by which the order was made, upon an application by the official receiver, or any creditor or other person interested, that a majority of the creditors in number and value are resident in Scotland or in Ireland, and that from the situation of the property of the debtor, or other causes, his estate and effects ought to be distributed among the creditors under the law relating to bankruptcy in Scotland or Ireland, the court, after such inquiry as it may think fit, may rescind the receiving order and stay all proceedings on, or dismiss the petition upon such terms, if any, as the court may think fit.

Proceedings consequent on Order.

First and other meetings of creditors.

13.—(1) As soon as may be after the making of a receiving order against a debtor a general meeting of his creditors (in this Act referred to as the first meeting of creditors) shall be held for the purpose of considering whether a proposal for a composition or scheme of arrangement shall be accepted, or whether it is expedient that the debtor shall be adjudged bankrupt, and generally as to the mode of dealing with the debtor's property.

(2) With respect to the summoning of and proceedings at the first and other meetings of creditors, the rules in the First Schedule to this Act shall be observed.

Debtor's statement of affairs.

14.—(1) Where a receiving order is made against a debtor, he shall make out and submit to the official receiver a statement of and in relation to his affairs in the prescribed form, verified by affidavit, and showing the particulars of the debtor's assets debts and liabilities, the names, residences and occupations of his creditors, the securities held by them respectively, the dates when the securities were respectively given, and such further or other information as may be prescribed or as the official receiver may require.

(2) The statement shall be so submitted within the following times, namely:—

(i) If the order is made on the petition of the debtor, within three days from the date of the order:

(ii) If the order is made on the petition of a creditor, within seven days from the date of the order:

but the court may, in either case for special reasons, extend the time.

(3) If the debtor fails without reasonable excuse to comply with the requirements of this section, the court may, on the application of the official receiver, or of any creditor, adjudge him bankrupt.

(4) Any person stating himself in writing to be a creditor of the bankrupt may, personally or by agent, inspect the statement at all reasonable times, and take any copy thereof or extract therefrom, but any person untruthfully so stating himself to be a creditor shall be guilty of a contempt of court, and shall be punishable accordingly on the application of the trustee or official receiver.

Public Examination of Debtor.

Public examination of debtor.

15.—(1) Where the court makes a receiving order, it shall, save as in this Act provided, hold a public sitting, on a day to be appointed by the court, for the examination of the debtor, and the debtor shall attend thereat, and shall be examined as to his conduct, dealings, and property.

(2) The examination shall be held as soon as conveniently may be after the expiration of the time for the submission of the debtor's statement of affairs.

(3) The court may adjourn the examination from time to time.

(4) Any creditor who has tendered a proof, or his representative authorised in writing, may question the debtor concerning his affairs and the causes of his failure.

(5) The official receiver shall take part in the examination of the debtor; and for the purpose thereof, if specially authorised by the Board of Trade, may employ a solicitor with or without counsel.

(6) If a trustee is appointed before the conclusion of the examination, he may take part therein.

(7) The court may put such questions to the debtor as it may think expedient.

(8) The debtor shall be examined upon oath, and it shall be his duty to answer all such questions as the court may put or allow to be put to him. Such notes of the examination as the court thinks proper shall be taken down in writing, and shall be read over either to or by the debtor and signed by him, and may thereafter, save as in this Act provided, be used in evidence against him; they shall also be open to the inspection of any creditor at all reasonable times.

(9) When the court is of opinion that the affairs of the debtor have been sufficiently investigated, it shall by order declare that his examination is concluded, but such order shall not be made until after the day appointed for the first meeting of creditors.

(10) Where the debtor is a lunatic or suffers from any such mental or physical affliction or disability as in the opinion of the court makes him unfit to attend his public examination, the court may make an order dispensing with such examination, or directing that the debtor be examined on such terms, in such manner, and at such place as to the court seems expedient.

Composition or Scheme of Arrangement.

Compositions and schemes of arrangement.

16.—(1) Where a debtor intends to make a proposal for a composition in satisfaction of his debts, or a proposal for a scheme of arrangement of his affairs, he shall, within four days of submitting his statement of affairs, or within such time thereafter as the official receiver may fix, lodge with the official receiver a proposal in writing, signed by him, embodying the terms of the composition or scheme which he is desirous of submitting for the consideration of his creditors, and setting out particulars of any sureties or securities proposed.

(2) In such case the official receiver shall hold a meeting of creditors, before the public examination of the debtor is concluded, and send to each creditor, before the meeting, a copy of the debtor's proposal with a report thereon; and if at that meeting a majority in number and three fourths in value of all the creditors who have proved, resolve to accept the proposal, it shall be deemed to be duly accepted by the creditors, and when approved by the court shall be binding on all the creditors.

(3) The debtor may at the meeting amend the terms of his proposal, if the amendment is, in the opinion of the official receiver, calculated to benefit the general body of creditors.

(4) Any creditor who has proved his debt may assent to or dissent from the proposal by a letter, in the prescribed form, addressed to the official receiver so as to be received by him not later than the day preceding the meeting, and any such assent or dissent shall have effect as if the creditor had been present and had voted at the meeting.

(5) The debtor or the official receiver may, after the proposal is accepted by the creditors, apply to the court to approve it, and notice of the time appointed for hearing the application shall be given to each creditor who has proved.

(6) The application shall not be heard until after the conclusion of the public examination of the debtor. Any creditor who has proved may be heard by the court in opposition to the application, notwithstanding that he may at a meeting of creditors have voted for the acceptance of the proposal.

(7) For the purpose of approving a composition or scheme by joint debtors, the court may, if it thinks fit, and on the report of

the official receiver that it is expedient so to do, dispense with the public examination of one of the joint debtors if he is unavoidably prevented from attending the examination by illness or absence from the United Kingdom.

(8) The court shall, before approving the proposal, hear a report of the official receiver as to the terms thereof, and as to the conduct of the debtor, and any objections which may be made by or on behalf of any creditor.

(9) If the court is of opinion that the terms of the proposal are not reasonable, or are not calculated to benefit the general body of creditors, or in any case in which the court is required, where the debtor is adjudged bankrupt, to refuse his discharge, the court shall refuse to approve the proposal.

(10) If any facts are proved on proof of which the court would be required either to refuse, suspend or attach conditions to the debtor's discharge were he adjudged bankrupt, the court shall refuse to approve the proposal, unless it provides reasonable security for the payment of not less than five shillings in the pound on all the unsecured debts provable against the debtor's estate.

(11) In any other case the court may either approve or refuse to approve the proposal.

(12) If the court approves the proposal, the approval may be testified by the seal of the court being attached to the instrument containing the terms of the proposed composition or scheme, or by the terms being embodied in an order of the court.

(13) A composition or scheme accepted and approved in pursuance of this section shall be binding on all the creditors so far as relates to any debts due to them from the debtor and provable in bankruptcy, but shall not release the debtor from any liability under a judgment against him in an action for seduction, or under an affiliation order, or under a judgment against him as a co-respondent in a matrimonial cause, except to such an extent and under such conditions as the court expressly orders in respect of such liability.

(14) A certificate of the official receiver that a composition or scheme has been duly accepted and approved shall, in the absence of fraud, be conclusive as to its validity.

(15) The provisions of a composition or scheme under this section may be enforced by the court on application by any person interested, and any disobedience of an order of the court made on the application shall be deemed a contempt of court.

(16) If default is made in payment of any instalment due in pursuance of the composition or scheme, or if it appears to the court, on satisfactory evidence, that the composition or scheme cannot, in consequence of legal difficulties, or for any sufficient cause, proceed without injustice or undue delay to the creditors or to the debtor, or that the approval of the court was obtained by fraud, the court may, if it thinks fit, on application by the official receiver or the trustee or by any creditor, adjudge the debtor bankrupt, and annul the composition or scheme,

but without prejudice to the validity of any sale, disposition or payment duly made, or thing duly done, under or in pursuance of the composition or scheme.

Where a debtor is adjudged bankrupt under this subsection, any debt provable in other respects, which has been contracted before the adjudication, shall be provable in the bankruptcy.

(17) If under or in pursuance of a composition or scheme a trustee is appointed to administer the debtor's property or manage his business, or to distribute the composition, section twenty-five and Part IV. of this Act shall apply as if the trustee were a trustee in a bankruptcy, and as if the terms "bankruptcy," "bankrupt," and "order of adjudication" included respectively a composition or scheme of arrangement, a compounding or arranging debtor, and an order approving the composition or scheme.

(18) Part II. of this Act shall, so far as the nature of the case and the terms of the composition or scheme admit, apply thereto, the same interpretation being given to the words "trustee," "bankruptcy," "bankrupt," and "order of adjudication," as in the last preceding subsection.

(19) No composition or scheme shall be approved by the court which does not provide for the payment in priority to other debts of all debts directed to be so paid in the distribution of the property of a bankrupt.

(20) The acceptance by a creditor of a composition or scheme shall not release any person who under this Act would not be released by an order of discharge if the debtor had been adjudged bankrupt.

Effect of composition or scheme.

17. Notwithstanding the acceptance and approval of a composition or scheme, the composition or scheme shall not be binding on any creditor so far as regards a debt or liability from which, under the provisions of this Act, the debtor would not be released by an order of discharge in bankruptcy, unless the creditor assents to the composition or scheme.

Adjudication of Bankruptcy.

Adjudication of bankruptcy where composition not accepted or approved.

18.—(1) Where a receiving order is made against a debtor, then, if the creditors at the first meeting or any adjournment thereof by ordinary resolution resolve that the debtor be adjudged bankrupt, or pass no resolution, or if the creditors do not meet, or if a composition or scheme is not approved in pursuance of this Act within fourteen days after the conclusion of the examination of the debtor or such further time as the court may allow, the court shall adjudge the debtor bankrupt; and thereupon the property of the bankrupt shall become divisible among his creditors and shall vest in a trustee.

(2) Notice of every order adjudging a debtor bankrupt, stating the name, address, and description of the bankrupt, the date of the adjudication, and the court by which the adjudication is made, shall be gazetted and advertised in a

local paper in the prescribed manner, and the date of the order shall, for the purposes of this Act, be the date of the adjudication.

Appointment of trustee.

19.—(1) Where a debtor is adjudged bankrupt, or the creditors have resolved that he be adjudged bankrupt, the creditors may by ordinary resolution appoint some fit person, whether a creditor or not, to fill the office of trustee of the property of the bankrupt; or they may resolve to leave his appointment to the committee of inspection hereinafter mentioned.

A person shall be deemed not fit to act as trustee of the property of a bankrupt where he has been previously removed from the office of trustee of a bankrupt's property for misconduct or neglect of duty.

(2) The person so appointed shall give security in manner prescribed to the satisfaction of the Board of Trade, and the Board, if satisfied with the security, shall certify that his appointment has been duly made, unless they object to the appointment on the ground that it has not been made in good faith by a majority in value of the creditors voting, or that the person appointed is not fit to act as trustee, or that his connexion with or relation to the bankrupt or his estate or any particular creditor makes it difficult for him to act with impartiality in the interests of the creditors generally.

(3) Provided that, where the Board make any such objection they shall, if so requested by a majority in value of the creditors, notify the objection to the High Court, and thereupon the High Court may decide on its validity.

(4) The appointment of a trustee shall take effect as from the date of the certificate.

(5) The official receiver shall not, save as by this Act provided, be the trustee of the bankrupt's property.

(6) If a trustee is not appointed by the creditors within four weeks from the date of the adjudication, or, in the event of there being negotiations for a composition or scheme pending at the expiration of those four weeks, then within seven days from the close of those negotiations by the refusal of the creditors to accept, or of the court to approve, the composition or scheme, the official receiver shall report the matter to the Board of Trade, and thereupon the Board of Trade shall appoint some fit person to be trustee of the bankrupt's property, and shall certify the appointment.

(7) Provided that the creditors or the committee of inspection (if so authorised by resolution of the creditors) may, at any subsequent time, if they think fit, appoint a trustee, and, on the appointment being made and certified, the person appointed shall become trustee in the place of the person appointed by the Board of Trade.

(8) When a debtor is adjudged bankrupt after the first meeting of creditors has been held, and a trustee has not been appointed prior to the adjudication, the official receiver shall

forthwith summon a meeting of creditors for the purpose of appointing a trustee.

Committee of inspection.

20.—(1) The creditors qualified to vote may, at their first or any subsequent meeting by resolution, appoint a committee of inspection for the purpose of superintending the administration of the bankrupt's property by the trustee.

(2) The committee of inspection shall consist of not more than five nor less than three persons, possessing one or other of the following qualifications—

(*a*) that of being a creditor or the holder of a general proxy or general power of attorney from a creditor, provided that no creditor and no holder of a general proxy or general power of attorney from a creditor shall be qualified to act as a member of the committee of inspection until the creditor has proved his debt and the proof has been admitted ; or

(*b*) that of being a person to whom a creditor intends to give a general proxy or general power of attorney : provided that no such person shall be qualified to act as a member of the committee of inspection until he holds such a proxy or power of attorney, and until the creditor has proved his debt and the proof has been admitted.

(3) The committee of inspection shall meet at such times as they shall from time to time appoint, and, failing such appointment, at least once a month ; and the trustee or any member of the committee may also call a meeting of the committee as and when he thinks necessary.

(4) The committee may act by a majority of their members present at a meeting, but shall not act unless a majority of the committee are present at the meeting.

(5) Any member of the committee may resign his office by notice in writing signed by him, and delivered to the trustee.

(6) If a member of the committee becomes bankrupt, or compounds or arranges with his creditors, or is absent from five consecutive meetings of the committee, his office shall thereupon become vacant.

(7) Any member of the committee may be removed by an ordinary resolution at any meeting of creditors of which seven days' notice has been given stating the object of the meeting.

(8) On a vacancy occurring in the office of a member of the committee, the trustee shall forthwith summon a meeting of creditors for the purpose of filling the vacancy, and the meeting may by resolution appoint another creditor or other person eligible as above to fill the vacancy.

(9) The continuing members of the committee, provided there be not less than two such continuing members, may act notwithstanding any vacancy in their body ; and, where the number of members of the committee of inspection is for the

time being less than five, the creditors may increase that number so that it do not exceed five.

(10) If there be no committee of inspection, any act or thing or any direction or permission by this Act authorised or required to be done or given by the committee may be done or given by the Board of Trade on the application of the trustee.

Power to accept composition or scheme after bankruptcy adjudication.

21.—(1) Where a debtor is adjudged bankrupt the creditors may, if they think fit, at any time after the adjudication, by a majority in number and three fourths in value of all the creditors who have proved, resolve to accept a proposal for a composition in satisfaction of the debts due to them under the bankruptcy, or for a scheme of arrangement of the bankrupt's affairs; and thereupon the same proceedings shall be taken and the same consequences shall ensue as in the case of a composition or scheme accepted before adjudication.

(2) If the court approves the composition or scheme, it may make an order annulling the bankruptcy and vesting the property of the bankrupt in him or in such other person as the court may appoint, on such terms, and subject to such conditions, if any, as the court may declare.

(3) If default is made in payment of any instalment due in pursuance of the composition or scheme, or if it appears to the court that the composition or scheme cannot proceed without injustice or undue delay, or that the approval of the court was obtained by fraud, the court may, if it thinks fit, on application by any person interested, adjudge the debtor bankrupt, and annul the composition or scheme, but without prejudice to the validity of any sale, disposition or payment duly made, or thing duly done, under or in pursuance of the composition or scheme. Where a debtor is adjudged bankrupt under this subsection, all debts, provable in other respects, which have been contracted before the date of such adjudication shall be provable in the bankruptcy.

Control over Person and Property of Debtor.

Duties of debtor as to discovery and realisation of property.

22.—(1) Every debtor against whom a receiving order is made shall, unless prevented by sickness or other sufficient cause, attend the first meeting of his creditors, and shall submit to such examination and give such information as the meeting may require.

(2) He shall give such inventory of his property, such list of his creditors and debtors, and of the debts due to and from them respectively, submit to such examination in respect of his property or his creditors, attend such other meetings of his creditors, wait at such times on the official receiver, special manager, or trustee, execute such powers of attorney, conveyances, deeds, and instruments, and generally do all such acts and things in relation to his property and the distribution of the proceeds amongst his creditors, as may be reasonably required by the official receiver, special manager, or trustee, or

may be prescribed by general rules, or be directed by the court by any special order or orders made in reference to any particular case, or made on the occasion of any special application by the official receiver, special manager, trustee, or any creditor or person interested.

(3) He shall, if adjudged bankrupt, aid, to the utmost of his power, in the realisation of his property and the distribution of the proceeds among his creditors.

(4) If a debtor wilfully fails to perform the duties imposed on him by this section, or to deliver up possession of any part of his property, which is divisible amongst his creditors under this Act, and which is for the time being in his possession or under his control, to the official receiver or to the trustee, or to any person authorised by the court to take possession of it, he shall, in addition to any other punishment to which he may be subject, be guilty of a contempt of court, and may be punished accordingly.

Arrest of debtor under certain circumstances.

23.—(1) The court may, by warrant addressed to any constable or prescribed officer of the court, cause a debtor to be arrested, and any books, papers, money and goods in his possession to be seized, and him and them to be safely kept as prescribed until such time as the court may order under the following circumstances :—

(*a*) If, after a bankruptcy notice has been issued under this Act, or after presentation of a bankruptcy petition by or against him, it appears to the court that there is probable reason for believing that he has absconded, or is about to abscond, with a view of avoiding payment of the debt in respect of which the bankruptcy notice was issued, or of avoiding service of a bankruptcy petition, or of avoiding appearance to any such petition, or of avoiding examination in respect of his affairs, or of otherwise avoiding delaying or embarrassing proceedings in bankruptcy against him.

(*b*) If, after presentation of a bankruptcy petition by or against him, it appears to the court that there is probable cause for believing that he is about to remove his goods with a view of preventing or delaying possession being taken of them by the official receiver or trustee, or that there is probable ground for believing that he has concealed or is about to conceal or destroy any of his goods, or any books, documents or writings which might be of use to his creditors in the course of his bankruptcy.

(*c*) If, after service of a bankruptcy petition on him, or after a receiving order is made against him, he removes any goods in his possession above the value of five pounds, without the leave of the official receiver or trustee.

(*d*) If, without good cause shown, he fails to attend any examination ordered by the court :

Provided that no arrest upon a bankruptcy notice shall be valid and protected, unless the debtor before or at the time of his arrest is served with such bankruptcy notice.

(2) No payment or composition made or security given after arrest made under this section shall be exempt from the provisions of this Act relating to fraudulent preferences.

Re-direction of debtor's letters.

24. Where a receiving order is made against a debtor, the court, on the application of the official receiver or trustee, may from time to time order that for such time, not exceeding three months, as the court thinks fit, post letters, telegrams, and other postal packets, addressed to the debtor at any place or places mentioned in the order for re-direction, shall be re-directed sent or delivered by the Postmaster-General, or the officers acting under him, to the official receiver, or the trustee, or otherwise as the court directs, and the same shall be done accordingly.

Enquiry as to debtor's conduct, dealings, and property.

25.—(1) The court may, on the application of the official receiver or trustee, at any time after a receiving order has been made against a debtor, summon before it the debtor or his wife, or any person known or suspected to have in his possession any of the estate or effects belonging to the debtor, or supposed to be indebted to the debtor, or any person whom the court may deem capable of giving information respecting the debtor, his dealings or property, and the court may require any such person to produce any documents in his custody or power relating to the debtor, his dealings or property.

(2) If any person so summoned, after having been tendered a reasonable sum, refuses to come before the court at the time appointed, or refuses to produce any such document, having no lawful impediment made known to the court at the time of its sitting and allowed by it, the court may, by warrant, cause him to be apprehended and brought up for examination.

(3) The court may examine on oath, either by word of mouth or by written interrogatories, any person so brought before it concerning the debtor, his dealings, or property.

(4) If any person on examination before the court admits that he is indebted to the debtor, the court may, on the application of the official receiver or trustee, order him to pay to the official receiver or trustee, at such time and in such manner as to the court seems expedient, the amount admitted, or any part thereof, either in full discharge of the whole amount in question or not, as the court thinks fit, with or without costs of the examination.

(5) If any person on examination before the court admits that he has in his possession any property belonging to the debtor, the court may, on the application of the official receiver or trustee, order him to deliver to the official receiver or trustee

such property, or any part thereof, at such time, and in such manner, and on such terms, as to the court may seem just.

(6) The court may, if it thinks fit, order that any person who if in England would be liable to be brought before it under this section shall be examined in Scotland or Ireland, or in any other place out of England.

Discharge of bankrupt.

26.—(1) A bankrupt may, at any time after being adjudged bankrupt, apply to the court for an order of discharge, and the court shall appoint a day for hearing the application, but the application shall not be heard until the public examination of the bankrupt is concluded. The application shall, except when the court in accordance with rules under this Act otherwise directs, be heard in open court.

(2) On the hearing of the application the court shall take into consideration a report of the official receiver as to the bankrupt's conduct and affairs (including a report as to the bankrupt's conduct during the proceedings under his bankruptcy), and may either grant or refuse an absolute order of discharge, or suspend the operation of the order for a specified time, or grant an order of discharge subject to any conditions with respect to any earnings or income which may afterwards become due to the bankrupt, or with respect to his after-acquired property :

Provided that the court shall refuse the discharge in all cases where the bankrupt has committed any misdemeanour under this Act, or any enactment repealed by this Act, or any other misdemeanour connected with his bankruptcy, or any felony connected with his bankruptcy, unless for special reasons the court otherwise determines, and shall, on proof of any of the facts herein-after mentioned, either—

(i) refuse the discharge ; or

(ii) suspend the discharge for a period of not less than two years : provided that the period may be less than two years, if the only fact proved of those herein-after mentioned is that his assets are not of a value equal to ten shillings in the pound on the amount of his unsecured liabilities ; or

(iii) suspend the discharge until a dividend of not less than ten shillings in the pound has been paid to the creditors ; or

(iv) require the bankrupt as a condition of his discharge to consent to judgment being entered against him by the official receiver or trustee for any balance or part of any balance of the debts provable under the bankruptcy which is not satisfied at the date of the discharge, such balance or part of any balance of the debts to be paid out of the future earnings or after-acquired property of the bankrupt in such manner and subject to such conditions as the court may direct ; but execution shall not be issued on the judgment without leave of the court, which leave

may be given on proof that the bankrupt has since his discharge acquired property or income available towards payment of his debts:

Provided that, if at any time after the expiration of two years from the date of any order made under this section the bankrupt satisfies the court that there is no reasonable probability of his being in a position to comply with the terms of such order, the court may modify the terms of the order, or of any substituted order, in such manner and upon such conditions as it may think fit.

(3) The facts herein-before referred to are—

(*a*) That the bankrupt's assets are not of a value equal to ten shillings in the pound on the amount of his unsecured liabilities, unless he satisfies the court that the fact that the assets are not of a value equal to ten shillings in the pound on the amount of his unsecured liabilities has arisen from circumstances for which he cannot justly be held responsible:

(*b*) That the bankrupt has omitted to keep such books of account as are usual and proper in the business carried on by him and as sufficiently disclose his business transactions and financial position within the three years immediately preceding his bankruptcy:

(*c*) That the bankrupt has continued to trade after knowing himself to be insolvent:

(*d*) That the bankrupt has contracted any debt provable in the bankruptcy without having at the time of contracting it any reasonable or probable ground of expectation (proof whereof shall lie on him) of being able to pay it:

(*e*) That the bankrupt has failed to account satisfactorily for any loss of assets or for any deficiency of assets to meet his liabilities:

(*f*) That the bankrupt has brought on, or contributed to, his bankruptcy by rash and hazardous speculations, or by unjustifiable extravagance in living, or by gambling, or by culpable neglect of his business affairs:

(*g*) That the bankrupt has put any of his creditors to unnecessary expense by a frivolous or vexatious defence to any action properly brought against him:

(*h*) That the bankrupt has, within three months preceding the date of the receiving order, incurred unjustifiable expense by bringing a frivolous or vexatious action:

(*i*) That the bankrupt has, within three months preceding the date of the receiving order, when unable to pay his debts as they become due, given an undue preference to any of his creditors:

(*j*) That the bankrupt has, within three months preceding the date of the receiving order, incurred liabilities with a view of making his assets equal to ten shillings in the pound on the amount of his unsecured liabilities:

(*k*) That the bankrupt has, on any previous occasion, been adjudged bankrupt, or made a composition or arrangement with his creditors:

(*l*) That the bankrupt has been guilty of any fraud or fraudulent breach of trust.

(4) With a view to removing any statutory disqualification on account of bankruptcy which is removed if the bankrupt obtains from the court his discharge with a certificate to the effect that the bankruptcy was caused by misfortune without any misconduct on his part, the court may, if it thinks fit, grant such a certificate, but a refusal to grant such a certificate shall be subject to appeal.

(5) For the purposes of this section, a bankrupt's assets shall be deemed of a value equal to ten shillings in the pound on the amount of his unsecured liabilities when the court is satisfied that the property of the bankrupt has realised, or is likely to realise, or with due care in realisation might have realised, an amount equal to ten shillings in the pound on his unsecured liabilities, and a report by the official receiver or the trustee shall be primâ facie evidence of the amount of such liabilities.

(6) For the purposes of this section, the report of the official receiver shall be primâ facie evidence of the statements therein contained.

(7) Notice of the appointment by the court of the day for hearing the application for discharge shall be published in the prescribed manner, and sent fourteen days at least before the day so appointed to each creditor who has proved, and the court may hear the official receiver and the trustee, and may also hear any creditor. At the hearing the court may put such questions to the debtor and receive such evidence as it may think fit.

(8) The powers of suspending and of attaching conditions to a bankrupt's discharge may be exercised concurrently.

(9) A discharged bankrupt shall, notwithstanding his discharge, give such assistance as the trustee may require in the realisation and distribution of such of his property as is vested in the trustee, and, if he fails to do so, he shall be guilty of a contempt of court; and the court may also, if it thinks fit, revoke his discharge, but without prejudice to the validity of any sale, disposition or payment duly made or thing duly done subsequent to the discharge but before its revocation.

Fraudulent settlements.

27. In either of the following cases; that is to say—

(i) in the case of a settlement made before and in consideration of marriage where the settlor is not at the time of making the settlement able to pay all his debts without the aid of the property comprised in the settlement; or

(ii) in the case of any covenant or contract made in consideration of marriage for the future settlement on or for the settlor's wife or children of any money or property wherein he had not at the date of his marriage any estate or interest (not being money or property of or in right of his wife);

if the settlor is adjudged bankrupt or compounds or arranges with his creditors, and it appears to the court that such settlement, covenant, or contract was made in order to defeat or delay creditors, or was unjustifiable having regard to the state of the settlor's affairs at the time when it was made, the court may refuse or suspend an order of discharge, or grant an order subject to conditions, or refuse to approve a composition or arrangement, as the case may be, in like manner as in cases where the debtor has been guilty of fraud.

Effect of order of discharge.

28.—(1) An order of discharge shall not release the bankrupt—

(*a*) from any debt on a recognisance nor from any debt with which the bankrupt may be chargeable at the suit of the Crown or of any person for any offence against a statute relating to any branch of the public revenue, or at the suit of the sheriff or other public officer on a bail bond entered into for the appearance of any person prosecuted for any such offence; and he shall not be discharged from such excepted debts unless the Treasury certify in writing their consent to his being discharged therefrom; or

(*b*) from any debt or liability incurred by means of any fraud or fraudulent breach of trust to which he was a party, nor from any debt or liability whereof he has obtained forbearance by any fraud to which he was a party; or

(*c*) from any liability under a judgment against him in an action for seduction, or under an affiliation order, or under a judgment against him as a co-respondent in a matrimonial cause, except to such an extent and under such conditions as the court expressly orders in respect of such liability.

(2) An order of discharge shall release the bankrupt from all other debts provable in bankruptcy.

(3) An order of discharge shall be conclusive evidence of the bankruptcy, and of the validity of the proceedings therein, and in any proceedings that may be instituted against a bankrupt who has obtained an order of discharge in respect of any debt from which he is released by the order, the bankrupt may plead that the cause of action occurred before his discharge.

(4) An order of discharge shall not release any person who at the date of the receiving order was a partner or co-trustee with the bankrupt, or was jointly bound or had made any joint

contract with him, or any person who was surety or in the nature of a surety for him.

Power for court to annul adjudication in certain cases.

29.—(1) Where in the opinion of the court a debtor ought not to have been adjudged bankrupt, or where it is proved to the satisfaction of the court that the debts of the bankrupt are paid in full, the court may, on the application of any person interested, by order annul the adjudication.

(2) Where an adjudication is annulled under this section, all sales and dispositions of property and payments duly made, and all acts theretofore done, by the official receiver, trustee, or other person acting under their authority, or by the court, shall be valid, but the property of the debtor who was adjudged bankrupt shall vest in such person as the court may appoint, or, in default of any such appointment, revert to the debtor for all his estate or interest therein on such terms and subject to such conditions, if any, as the court may declare by order.

(3) Notice of the order annulling an adjudication shall be forthwith gazetted and published in a local paper.

(4) For the purposes of this section, any debt disputed by a debtor shall be considered as paid in full if the debtor enters into a bond, in such sum and with such sureties as the court approves, to pay the amount to be recovered in any proceeding for the recovery of or concerning the debt, with costs, and any debt due to a creditor who cannot be found or cannot be identified shall be considered as paid in full if paid into court.

Part II.

Administration of Property.

Proof of Debts.

Description of debts provable in bankruptcy.

30.—(1) Demands in the nature of unliquidated damages arising otherwise than by reason of a contract, promise, or breach of trust shall not be provable in bankruptcy.

(2) A person having notice of any act of bankruptcy available against the debtor shall not prove under the order for any debt or liability contracted by the debtor subsequently to the date of his so having notice.

(3) Save as aforesaid, all debts and liabilities, present or future, certain or contingent, to which the debtor is subject at the date of the receiving order, or to which he may become subject before his discharge by reason of any obligation incurred before the date of the receiving order, shall be deemed to be debts provable in bankruptcy.

(4) An estimate shall be made by the trustee of the value of any debt or liability provable as aforesaid, which by reason of its being subject to any contingency or contingencies, or for any other reason, does not bear a certain value.

(5) Any person aggrieved by any estimate made by the trustee as aforesaid may appeal to the court.

(6) If, in the opinion of the court, the value of the debt or liability is incapable of being fairly estimated, the court may

make an order to that effect, and thereupon the debt or liability shall, for the purposes of this Act, be deemed to be a debt not provable in bankruptcy.

(7) If, in the opinion of the court, the value of the debt or liability is capable of being fairly estimated, the court may direct the value to be assessed before the court itself without the intervention of a jury, and may give all necessary directions for this purpose, and the amount of the value when assessed shall be deemed to be a debt provable in bankruptcy.

(8) "Liability" shall, for the purposes of this Act, include—

(*a*) any compensation for work or labour done;

(*b*) any obligation or possibility of an obligation to pay money or money's worth on the breach of any express or implied covenant, contract, agreement, or undertaking, whether the breach does or does not occur, or is or is not likely to occur or capable of occurring, before the discharge of the debtor;

(*c*) generally, any express or implied engagement, agreement, or undertaking, to pay, or capable of resulting in the payment of, money or money's worth; whether the payment is, as respects amount, fixed or unliquidated; as respects time, present or future, certain or dependent on any one contingency or on two or more contingencies; as to mode of valuation, capable of being ascertained by fixed rules or as matter of opinion.

Mutual credit and set-off.

31. Where there have been mutual credits, mutual debts or other mutual dealings, between a debtor against whom a receiving order shall be made under this Act and any other person proving or claiming to prove a debt under the receiving order, an account shall be taken of what is due from the one party to the other in respect of such mutual dealings, and the sum due from the one party shall be set off against any sum due from the other party, and the balance of the account, and no more, shall be claimed or paid on either side respectively; but a person shall not be entitled under this section to claim the benefit of any set-off against the property of a debtor in any case where he had, at the time of giving credit to the debtor, notice of an act of bankruptcy committed by the debtor and available against him.

Rules as to proof of debts.

32. With respect to the mode of proving debts, the right of proof by secured and other creditors, the admission and rejection of proofs, and the other matters referred to in the Second Schedule to this Act, the rules in that schedule shall be observed.

Priority of debts.

33.—(1) In the distribution of the property of a bankrupt there shall be paid in priority to all other debts—

(*a*) All parochial or other local rates due from the bankrupt at the date of the receiving order, and having become due and payable within twelve months next before that time, and all assessed taxes, land tax, property

or income tax, assessed on the bankrupt up to the fifth day of April next before the date of the receiving order, and not exceeding in the whole one year's assessment

(*b*) All wages or salary of any clerk or servant in respect of services rendered to the bankrupt during four months before the date of the receiving order, not exceeding fifty pounds;

(*c*) All wages of any labourer or workman not exceeding twenty-five pounds, whether payable for time or for piece work, in respect of services rendered to the bankrupt during two months before the date of the receiving order: Provided that, where any labourer in husbandry has entered into a contract for the payment of a portion of his wages in a lump sum at the end of the year of hiring, the priority under this section shall extend to the whole of such sum, or a part thereof, as the court may decide to be due under the contract, proportionate to the time of service up to the date of the receiving order;

(*d*) All amounts, not exceeding in any individual case one hundred pounds, due in respect of compensation under the Workmen's Compensation Act, 1906, the liability wherefor accrued before the date of the receiving order, subject nevertheless to the provisions of section five of that Act; and

6 Edw. 7. c. 58.

(*e*) All contributions payable under the National Insurance Act, 1911, by the bankrupt, in respect of employed contributors or workmen in an insured trade during four months before the date of the receiving order.

1 & 2 Geo. 5. c. 55.

(2) The foregoing debts shall rank equally between themselves and shall be paid in full, unless the property of the bankrupt is insufficient to meet them, in which case they shall abate in equal proportions between themselves.

(3) Subject to the retention of such sums as may be necessary for the costs of administration or otherwise, the foregoing debts shall be discharged forthwith so far as the property of the debtor is sufficient to meet them.

(4) In the event of a landlord or other person distraining or having distrained on any goods or effects of a bankrupt within three months next before the date of the receiving order the debts to which priority is given by this section shall be a first charge on the goods or effects so distrained on, or the proceeds of the sale thereof:

Provided that in respect of any money paid under any such charge the landlord or other person shall have the same rights of priority as the person to whom such payment is made.

(5) This section shall apply, in the case of a deceased person who dies insolvent, as if he were a bankrupt, and as if the date of his death were substituted for the date of the receiving order.

(6) In the case of partners the joint estate shall be applicable in the first instance in payment of their joint debts, and the separate estate of each partner shall be applicable in the first instance in payment of his separate debts. If there is a surplus of the separate estates, it shall be dealt with as part of the joint estate. If there is a surplus of the joint estate, it shall be dealt with as part of the respective separate estates in proportion to the right and interest of each partner in the joint estate.

(7) Subject to the provisions of this Act, all debts proved in the bankruptcy shall be paid pari passu.

(8) If there is any surplus after payment of the foregoing debts, it shall be applied in payment of interest from the date of the receiving order at the rate of four pounds per centum per annum on all debts proved in the bankruptcy.

(9) Nothing in this section shall alter the effect of section three of the Partnership Act, 1890, or shall prejudice the provisions of the Friendly Societies Act, 1896, or of section fourteen of the Trustee Savings Banks Act, 1863, or the provisions of any enactment relating to deeds of arrangement respecting the payment of expenses incurred by the trustee under a deed of arrangement which has been avoided by the bankruptcy of the debtor. 53 & 54 Vict. c. 39. 59 & 60 Vict. c. 25. 26 & 27 Vict. c. 87.

34.—(1) Where at the time of the presentation of the bankruptcy petition any person is apprenticed or is an articled clerk to the bankrupt, the adjudication of bankruptcy shall, if either the bankrupt or apprentice or clerk gives notice in writing to the trustee to that effect, be a complete discharge of the indenture of apprenticeship or articles of agreement; and, if any money has been paid by or on behalf of the apprentice or clerk to the bankrupt as a fee, the trustee may, on the application of the apprentice or clerk, or of some person on his behalf, pay such sum as the trustee, subject to an appeal to the court, thinks reasonable, out of the bankrupt's property, to or for the use of the apprentice or clerk, regard being had to the amount paid by him or on his behalf, and to the time during which he served with the bankrupt under the indenture or articles before the commencement of the bankruptcy, and to the other circumstances of the case. Preferential claim in case of apprenticeship.

(2) Where it appears expedient to a trustee, he may, on the application of any apprentice or articled clerk to the bankrupt, or any person acting on behalf of such apprentice or articled clerk, instead of acting under the preceding provisions of this section, transfer the indenture of apprenticeship or articles of agreement to some other person.

35.—(1) The landlord or other person to whom any rent is due from the bankrupt may at any time, either before or after the commencement of the bankruptcy, distrain upon the goods or effects of the bankrupt for the rent due to him from the bankrupt, with this limitation, that, if such distress for rent be Landlord's power of distress in case of bankruptcy.

levied after the commencement of the bankruptcy, it shall be available only for six months' rent accrued due prior to the date of the order of adjudication and shall not be available for rent payable in respect of any period subsequent to the date when the distress was levied, but the landlord or other person to whom the rent may be due from the bankrupt may prove under the bankruptcy for the surplus due for which the distress may not have been available.

(2) Where any goods of a debtor have been taken in execution, the limit on the amount of rent which the party at whose suit the execution is sued out is liable to pay to the landlord under section one of the Landlord and Tenant Act, 1709, or which the landlord is entitled to be paid under section one hundred and sixty of the County Courts Act, 1888, shall, unless notice of claim for rent due has been served on the sheriff or bailiff or other officer levying the execution by or on behalf of the landlord before the commencement of the debtor's bankruptcy, be six months' rent, instead of one year's rent, and the rights of the landlord under the said provisions shall not extend to any claim for rent payable in respect of any period subsequent to the date of such notice, unless such notice was served as aforesaid before the commencement of the debtor's bankruptcy.

8 Anne. c. 18.

51 & 52 Vict. c. 43.

(3) Nothing in the last preceding subsection shall be construed as imposing any liability on the sheriff, bailiff or other officer levying the execution, or on the person at whose suit the execution was sued out, to account for any sum actually paid to the landlord by him before notice was served on him that a receiving order had been made against the debtor, but the landlord shall be liable to pay to the trustee in the bankruptcy any sum he may have received from such sheriff, bailiff, officer or person as aforesaid in excess of the amount which he was entitled to be paid, without prejudice, however, to the right of the landlord to prove for the amount of such excess.

Postponement of husband's and wife's claims.

36.—(1) Where a married woman has been adjudged bankrupt, her husband shall not be entitled to claim any dividend as a creditor in respect of any money or other estate lent or entrusted by him to his wife for the purposes of her trade or business until all claims of the other creditors of his wife for valuable consideration in money or money's worth have been satisfied.

(2) Where the husband of a married woman has been adjudged bankrupt, any money or other estate of such woman lent or entrusted by her to her husband for the purpose of any trade or business carried on by him or otherwise, shall be treated as assets of his estate, and the wife shall not be entitled to claim any dividend as a creditor in respect of any such money or other estate until all claims of the other creditors of her husband for valuable consideration in money or money's worth have been satisfied.

Property available for Payment of Debts.

Relation back of trustee's title.

37.—(1) The bankruptcy of a debtor, whether it takes place on the debtor's own petition or upon that of a creditor or creditors, shall be deemed to have relation back to, and to commence at, the time of the act of bankruptcy being committed on which a receiving order is made against him, or, if the bankrupt is proved to have committed more acts of bankruptcy than one, to have relation back to, and to commence at, the time of the first of the acts of bankruptcy proved to have been committed by the bankrupt within three months next preceding the date of the presentation of the bankruptcy petition; but no bankruptcy petition, receiving order or adjudication shall be rendered invalid by reason of any act of bankruptcy anterior to the debt of the petitioning creditor.

(2) Where a receiving order is made against a judgment debtor in pursuance of section one hundred and seven of this Act, the bankruptcy of the debtor shall be deemed to have relation back to, and to commence at, the time of the order, or if the bankrupt is proved to have committed any previous act of bankruptcy, then to have relation back to, and to commence at, the time of the first of the acts of bankruptcy proved to have been committed by the debtor within three months next preceding the date of the order.

Description of bankrupt's property divisible amongst creditors.

38. The property of the bankrupt divisible amongst his creditors, and in this Act referred to as the property of the bankrupt, shall not comprise the following particulars:—

(1) Property held by the bankrupt on trust for any other person;

(2) The tools (if any) of his trade and the necessary wearing apparel and bedding of himself, his wife and children, to a value, inclusive of tools and apparel and bedding, not exceeding twenty pounds in the whole:

But it shall comprise the following particulars:—

(*a*) All such property as may belong to or be vested in the bankrupt at the commencement of the bankruptcy, or may be acquired by or devolve on him before his discharge; and

(*b*) The capacity to exercise and to take proceedings for exercising all such powers in or over or in respect of property as might have been exercised by the bankrupt for his own benefit at the commencement of his bankruptcy or before his discharge, except the right of nomination to a vacant ecclesiastical benefice; and

(*c*) All goods being, at the commencement of the bankruptcy, in the possession, order or disposition of the bankrupt, in his trade or business, by the consent and permission of the true owner, under such circumstances that he is the reputed owner thereof; provided that things in action other than debts due

or growing due to the bankrupt in the course of his trade or business shall not be deemed goods within the meaning of this section.

Provisions as to second bankruptcy.

39.—(1) In the event of a second or subsequent receiving order being made against a bankrupt, any property acquired by him since he was last adjudged bankrupt, which at the date when the subsequent petition was presented had not been distributed amongst the creditors in such last preceding bankruptcy, shall (subject to any disposition thereof made by the official receiver or trustee in that bankruptcy, without knowledge of the presentation of the subsequent petition, and subject to the provisions of section forty-seven of this Act) vest in the trustee in the subsequent bankruptcy, but any unsatisfied balance of the debts provable under the last preceding bankruptcy may be proved in the subsequent bankruptcy by the trustee in the last preceding bankruptcy.

(2) Where the trustee in any bankruptcy receives notice of a subsequent petition in bankruptcy against the bankrupt, he shall hold any property then in his possession which has been acquired by the bankrupt since he was adjudged bankrupt until the subsequent petition has been disposed of, and, if on the subsequent petition an order of adjudication is made, he shall transfer all such property or the proceeds thereof (after deducting his costs and expenses) to the trustee in the subsequent bankruptcy.

Effect of Bankruptcy on antecedent and other Transactions.

Restriction of rights of creditor under execution or attachment.

40.—(1) Where a creditor has issued execution against the goods or lands of a debtor, or has attached any debt due to him, he shall not be entitled to retain the benefit of the execution or attachment against the trustee in bankruptcy of the debtor, unless he has completed the execution or attachment before the date of the receiving order, and before notice of the presentation of any bankruptcy petition by or against the debtor, or of the commission of any available act of bankruptcy by the debtor.

(2) For the purposes of this Act, an execution against goods is completed by seizure and sale; an attachment of a debt is completed by receipt of the debt; and an execution against land is completed by seizure, or, in the case of an equitable interest, by the appointment of a receiver.

(3) An execution levied by seizure and sale on the goods of a debtor is not invalid by reason only of its being an act of bankruptcy, and a person who purchases the goods in good faith under a sale by the sheriff shall, in all cases, acquire a good title to them against the trustee in bankruptcy.

Duties of sheriff as to goods taken in execution.

41.—(1) Where any goods of a debtor are taken in execution, and before the sale thereof, or the completion of the execution by the receipt or recovery of the full amount of the levy, notice is served on the sheriff that a receiving order has been made,

against the debtor, the sheriff shall, on request, deliver the goods and any money seized or received in part satisfaction of the execution to the official receiver, but the costs of the execution shall be a first charge on the goods or money so delivered, and the official receiver or trustee may sell the goods, or an adequate part thereof, for the purpose of satisfying the charge.

(2) Where, under an execution in respect of a judgment for a sum exceeding twenty pounds, the goods of a debtor are sold or money is paid in order to avoid sale, the sheriff shall deduct his costs of the execution from the proceeds of sale or the money paid, and retain the balance for fourteen days, and, if within that time notice is served on him of a bankruptcy petition having been presented by or against the debtor, and a receiving order is made against the debtor thereon or on any other petition of which the sheriff has notice, the sheriff shall pay the balance to the official receiver or, as the case may be, to the trustee, who shall be entitled to retain it as against the execution creditor.

Avoidance of certain settlements.

42.—(1) Any settlement of property, not being a settlement made before and in consideration of marriage, or made in favour of a purchaser or incumbrancer in good faith and for valuable consideration, or a settlement made on or for the wife or children of the settlor of property which has accrued to the settlor after marriage in right of his wife, shall, if the settlor becomes bankrupt within two years after the date of the settlement, be void against the trustee in the bankruptcy, and shall, if the settlor becomes bankrupt at any subsequent time within ten years after the date of the settlement, be void against the trustee in the bankruptcy, unless the parties claiming under the settlement can prove that the settlor was, at the time of making the settlement, able to pay all his debts without the aid of the property comprised in the settlement, and that the interest of the settlor in such property passed to the trustee of such settlement on the execution thereof.

(2) Any covenant or contract made by any person (hereinafter called the settlor) in consideration of his or her marriage, either for the future payment of money for the benefit of the settlor's wife or husband, or children, or for the future settlement on or for the settlor's wife or husband or children, of property, wherein the settlor had not at the date of the marriage any estate or interest, whether vested or contingent, in possession or remainder, and not being money or property in right of the settlor's wife or husband, shall, if the settlor is adjudged bankrupt and the covenant or contract has not been executed at the date of the commencement of his bankruptcy, be void against the trustee in the bankruptcy, except so far as it enables the persons entitled under the covenant or contract to claim for dividend in the settlor's bankruptcy under or in respect of the covenant or contract, but any such claim to dividend shall be

postponed until all claims of the other creditors for valuable consideration in money or money's worth have been satisfied.

(3) Any payment of money (not being payment of premiums on a policy of life assurance) or any transfer of property made by the settlor in pursuance of such a covenant or contract as aforesaid shall be void against the trustee in the settlor's bankruptcy, unless the persons to whom the payment or transfer was made prove either—

(*a*) that the payment or transfer was made more than two years before the date of the commencement of the bankruptcy; or

(*b*) that at the date of the payment or transfer the settlor was able to pay all his debts without the aid of the money so paid or the property so transferred; or

(*c*) that the payment or transfer was made in pursuance of a covenant or contract to pay or transfer money or property expected to come to the settlor from or on the death of a particular person named in the covenant or contract and was made within three months after the money or property came into the possession or under the control of the settlor;

but, in the event of any such payment or transfer being declared void, the persons to whom it was made shall be entitled to claim for dividend under or in respect of the covenant or contract in like manner as if it had not been executed at the commencement of the bankruptcy.

(4) "Settlement" shall, for the purposes of this section, include any conveyance or transfer of property.

Avoidance of general assignments of book debts unless registered.

43.—(1) Where a person engaged in any trade or business makes an assignment to any other person of his existing or future book debts or any class thereof, and is subsequently adjudicated bankrupt, the assignment shall be void against the trustee as regards any book debts which have not been paid at the commencement of the bankruptcy, unless the assignment has been registered as if the assignment were a bill of sale given otherwise than by way of security for the payment of a sum of money, and the provisions of the Bills of Sale Act, 1878, with respect to the registration of bills of sale shall apply accordingly, subject to such necessary modifications as may be made by rules under that Act:

41 & 42 Vict. c. 31.

Provided that nothing in this section shall have effect so as to render void any assignment of book debts due at the date of the assignment from specified debtors, or of debts growing due under specified contracts, or any assignment of book debts included in a transfer of a business made bonâ fide and for value, or in any assignment of assets for the benefit of creditors generally.

(2) For the purposes of this section, "assignment" includes assignment by way of security and other charges on book debts.

Avoidance of preference in certain cases.

44.—(1) Every conveyance or transfer of property, or charge thereon made, every payment made, every obligation incurred, and every judicial proceeding taken or suffered by any person unable to pay his debts as they become due from his own money in favour of any creditor, or of any person in trust for any creditor, with a view of giving such creditor, or any surety or guarantor for the debt due to such creditor, a preference over the other creditors, shall, if the person making, taking, paying or suffering the same is adjudged bankrupt on a bankruptcy petition presented within three months after the date of making, taking, paying or suffering the same, be deemed fraudulent and void as against the trustee in the bankruptcy.

(2) This section shall not affect the rights of any person making title in good faith and for valuable consideration through or under a creditor of the bankrupt.

(3) Where a receiving order is made against a judgment debtor in pursuance of section one hundred and eight of this Act, this section shall apply as if the debtor had been adjudged bankrupt on a bankruptcy petition presented at the date of the receiving order.

Protection of bonâ fide transactions without notice.

45. Subject to the foregoing provisions of this Act with respect to the effect of bankruptcy on an execution or attachment, and with respect to the avoidance of certain settlements, assignments and preferences, nothing in this Act shall invalidate, in the case of a bankruptcy—

(*a*) Any payment by the bankrupt to any of his creditors ;

(*b*) Any payment or delivery to the bankrupt ;

(*c*) Any conveyance or assignment by the bankrupt for valuable consideration ;

(*d*) Any contract, dealing, or transaction by or with the bankrupt for valuable consideration :

Provided that both the following conditions are complied with, namely—

(i) that the payment, delivery, conveyance, assignment, contract, dealing, or transaction, as the case may be, takes place before the date of the receiving order ; and

(ii) that the person (other than the debtor) to, by, or with whom the payment, delivery, conveyance, assignment, contract, dealing, or transaction was made, executed, or entered into, has not at the time of the payment, delivery, conveyance, assignment, contract, dealing, or transaction, notice of any available act of bankruptcy committed by the bankrupt before that time.

Validity of certain payments to bankrupt and assignee.

46. A payment of money or delivery of property to a person subsequently adjudged bankrupt, or to a person claiming by assignment from him, shall, notwithstanding anything in this Act, be a good discharge to the person paying the money or delivering the property, if the payment or delivery is made before the actual date on which the receiving order is made

and without notice of the presentation of a bankruptcy petition, and is either pursuant to the ordinary course of business or otherwise bonâ fide.

Dealings with undischarged bankrupt.

47.—(1) All transactions by a bankrupt with any person dealing with him bonâ fide and for value, in respect of property, whether real or personal, acquired by the bankrupt after the adjudication, shall, if completed before any intervention by the trustee, be valid against the trustee, and any estate or interest in such property which by virtue of this Act is vested in the trustee shall determine and pass in such manner and to such extent as may be required for giving effect to any such transaction.

This subsection shall apply to transactions with respect to real property completed before the first day of April nineteen hundred and fourteen, in any case where there has not been any intervention by the trustee before that date.

For the purposes of this subsection, the receipt of any money, security, or negotiable instrument from, or by the order or direction of, a bankrupt by his banker, and any payment and any delivery of any security or negotiable instrument made to, or by the order or direction of, a bankrupt by his banker, shall be deemed to be a transaction by the bankrupt with such banker dealing with him for value.

(2) Where a banker has ascertained that a person having an account with him is an undischarged bankrupt, then, unless the banker is satisfied that the account is on behalf of some other person, it shall be his duty forthwith to inform the trustee in the bankruptcy or the Board of Trade of the existence of the account, and thereafter he shall not make any payments out of the account, except under an order of the court or in accordance with instructions from the trustee in the bankruptcy, unless by the expiration of one month from the date of giving the information no instructions have been received from the trustee.

Realisation of Property.

Possession of property by trustee.

48.—(1) The trustee shall, as soon as may be, take possession of the deeds, books, and documents of the bankrupt, and all other parts of his property capable of manual delivery.

(2) The trustee shall, in relation to and for the purpose of acquiring or retaining possession of the property of the bankrupt, be in the same position as if he were a receiver of the property appointed by the High Court, and the court may, on his application, enforce such acquisition or retention accordingly.

(3) Where any part of the property of the bankrupt consists of stock, shares in ships, shares, or any other property transferable in the books of any company, office, or person, the trustee may exercise the right to transfer the property to the same extent as the bankrupt might have exercised it if he had not become bankrupt.

(4) Where any part of the property of the bankrupt is of copyhold or customary tenure, or is any like property passing by surrender and admittance or in any similar manner, the trustee shall not be compellable to be admitted to the property, but may deal with it in the same manner as if it had been capable of being and had been duly surrendered or otherwise conveyed to such uses as the trustee may appoint; and any appointee of the trustee shall be admitted to or otherwise invested with the property accordingly.

(5) Where any part of the property of the bankrupt consists of things in action, such things shall be deemed to have been duly assigned to the trustee.

(6) Subject to the provisions of this Act with respect to property acquired by a bankrupt after adjudication, any treasurer or other officer, or any banker, attorney, or agent of a bankrupt, shall pay and deliver to the trustee all money and securities in his possession or power, as such officer, banker, attorney, or agent, which he is not by law entitled to retain as against the bankrupt or the trustee. If he does not, he shall be guilty of a contempt of court, and may be punished accordingly on the application of the trustee.

Seizure of property of bankrupt.

49. Any person acting under warrant of the court may seize any part of the property of a bankrupt, or of a debtor against whom a receiving order has been made, in the custody or possession of the bankrupt or the debtor, or of any other person, and with a view to such seizure may break open any house, building, or room of the bankrupt or the debtor, where the bankrupt or the debtor is supposed to be, or any building or receptacle of the bankrupt or the debtor where any of his property is supposed to be; and where the court is satisfied that there is reason to believe that property of a bankrupt, or of a debtor against whom a receiving order has been made, is concealed in a house or place not belonging to him, the court may, if it thinks fit, grant a search warrant to any constable or officer of the court, who may execute it according to its tenor.

Sequestration of ecclesiastical benefice.

50.—(1) Where a bankrupt is a beneficed clergyman, the trustee may apply for a sequestration of the profits of the benefice, and the certificate of the appointment of the trustee shall be sufficient authority for the granting of a sequestration without any writ or other proceeding, and the same shall accordingly be issued as on a writ of levari facias founded on a judgment against the bankrupt, and shall have priority over any other sequestration issued after the commencement of the bankruptcy in respect of a debt provable in the bankruptcy, except a sequestration issued before the date of the receiving order by or on behalf of a person who at the time of the issue thereof had not notice of an available act of bankruptcy committed by the bankrupt.

(2) The bishop of the diocese in which the benefice is situate may, if he thinks fit, appoint to the bankrupt such or the like

stipend as he might by law have appointed to a curate duly licensed to serve the benefice in case the bankrupt had been non-resident, and the sequestrator shall pay the sum so appointed out of the profits of the benefice to the bankrupt by quarterly instalments while he performs the duties of the benefice.

(3) The sequestrator shall also pay out of the profits of the benefice the salary payable to any duly licensed curate of the church of the benefice in respect of duties performed by him as such during four months before the date of the receiving order, not exceeding fifty pounds.

34 & 35 Vict. c. 43. 34 & 35 Vict. c. 45. 61 & 62 Vict. c. 48.

(4) Nothing in this section shall prejudice the operation of the Ecclesiastical Dilapidations Act, 1871, the Sequestration Act, 1871, or the Benefices Act, 1898, or any mortgage or charge duly created under any Act of Parliament before the commencement of the bankruptcy on the profits of the benefice.

Appropriation of portion of pay or salary to creditors.

51.—(1) Where a bankrupt is an officer of the army or navy, or an officer or clerk or otherwise employed or engaged in the civil service of the Crown, the trustee shall receive for distribution amongst the creditors so much of the bankrupt's pay or salary as the court, on the application of the trustee, with the consent of the chief officer of the department under which the pay or salary is enjoyed, may direct. Before making any order under this subsection, the court shall communicate with the chief officer of the department as to the amount, time, and manner of the payment to the trustee, and shall obtain the written consent of the chief officer to the terms of such payment.

(2) Where a bankrupt is in receipt of a salary or income other than as aforesaid, or is entitled to any half-pay, or pension, or to any compensation granted by the Treasury, the court, on the application of the trustee, shall from time to time make such order as it thinks just for the payment of the salary, income, half-pay, pension, or compensation, or of any part thereof, to the trustee, to be applied by him in such manner as the court may direct.

(3) Nothing in this section shall take away or abridge any power of the chief officer of any public department to dismiss a bankrupt, or to declare the pension, half-pay, or compensation of any bankrupt to be forfeited.

Appropriation of income of property restrained from anticipation.

52. Where a married woman who has been adjudged bankrupt has separate property the income of which is subject to a restraint on anticipation, the court shall have power, on the application of the trustee, to order that, during such time as the court may order, the whole or some part of such income be paid to the trustee for distribution amongst the creditors, and in the exercise of such power the court shall have regard to the means of subsistence available for the woman and her children.

Vesting and transfer of property.

53.—(1) Until a trustee is appointed, the official receiver shall be the trustee for the purposes of this Act, and, immediately

on a debtor being adjudged bankrupt, the property of the bankrupt shall vest in the trustee.

(2) On the appointment of a trustee, the property shall forthwith pass to and vest in the trustee appointed.

(3) The property of the bankrupt shall pass from trustee to trustee, including under that term the official receiver when he fills the office of trustee, and shall vest in the trustee for the time being during his continuance in office, without any conveyance, assignment, or transfer whatever.

(4) The certificate of appointment of a trustee shall, for all purposes of any law in force in any part of the British dominions requiring registration, enrolment, or recording of conveyances or assignments of property, be deemed to be a conveyance or assignment of property, and may be registered, enrolled, and recorded accordingly.

Disclaimer of onerous property.

54.—(1) Where any part of the property of the bankrupt consists of land of any tenure burdened with onerous covenants, of shares or stock in companies, of unprofitable contracts, or of any other property that is unsaleable, or not readily saleable, by reason of its binding the possessor thereof to the performance of any onerous act, or to the payment of any sum of money, the trustee, notwithstanding that he has endeavoured to sell or has taken possession of the property, or exercised any act of ownership in relation thereto, but subject to the provisions of this section, may, by writing signed by him, at any time within twelve months after the first appointment of a trustee or such extended period as may be allowed by the court, disclaim the property:

Provided that, where any such property has not come to the knowledge of the trustee within one month after such appointment, he may disclaim such property at any time within twelve months after he has become aware thereof or such extended period as may be allowed by the court.

(2) The disclaimer shall operate to determine, as from the date of disclaimer, the rights, interests, and liabilities of the bankrupt and his property in or in respect of the property disclaimed, and shall also discharge the trustee from all personal liability in respect of the property disclaimed as from the date when the property vested in him, but shall not, except so far as is necessary for the purpose of releasing the bankrupt and his property and the trustee from liability, affect the rights or liabilities of any other person.

(3) A trustee shall not be entitled to disclaim a lease without the leave of the court, except in any cases which may be prescribed by general rules, and the court may, before or on granting such leave, require such notices to be given to persons interested, and impose such terms as a condition of granting leave, and make such orders with respect to fixtures, tenant's improvements, and other matters arising out of the tenancy, as the court thinks just.

(4) The trustee shall not be entitled to disclaim any property in pursuance of this section in any case where an application in writing has been made to the trustee by any person interested in the property requiring him to decide whether he will disclaim or not, and the trustee has for a period of twenty-eight days after the receipt of the application, or such extended period as may be allowed by the court, declined or neglected to give notice whether he disclaims the property or not; and, in the case of a contract, if the trustee, after such application as aforesaid, does not within the said period or extended period disclaim the contract, he shall be deemed to have adopted it.

(5) The court may, on the application of any person who is, as against the trustee, entitled to the benefit or subject to the burden of a contract made with the bankrupt, make an order rescinding the contract on such terms as to payment by or to either party of damages for the non-performance of the contract, or otherwise, as to the court may seem equitable, and any damages payable under the order to any such person may be proved by him as a debt under the bankruptcy.

(6) The court may, on application by any person either claiming any interest in any disclaimed property or under any liability not discharged by this Act in respect of any disclaimed property, and on hearing such persons as it thinks fit, make an order for the vesting of the property in or delivery thereof to any person entitled thereto, or to whom it may seem just that the same should be delivered by way of compensation for such liability as aforesaid, or a trustee for him, and on such terms as the court thinks just; and on any such vesting order being made, the property comprised therein shall vest accordingly in the person therein named in that behalf without any conveyance or assignment for the purpose:

Provided that, where the property disclaimed is of a leasehold nature, the court shall not make a vesting order in favour of any person claiming under the bankrupt, whether as under-lessee or as mortgagee by demise except upon the terms of making that person—

(*a*) subject to the same liabilities and obligations as the bankrupt was subject to under the lease in respect of the property at the date when the bankruptcy petition was filed; or

(*b*) if the court thinks fit, subject only to the same liabilities and obligations as if the lease had been assigned to that person at that date;

and in either event (if the case so requires) as if the lease had comprised only the property comprised in the vesting order; and any mortgagee or under-lessee declining to accept a vesting order upon such terms shall be excluded from all interest in and security upon the property, and, if there is no person claiming under the bankrupt who is willing to accept an order

upon such terms, the court shall have power to vest the bankrupt's estate and interest in the property in any person liable either personally or in a representative character, and either alone or jointly with the bankrupt to perform the lessee's covenants in the lease, freed and discharged from all estates, incumbrances, and interests created therein by the bankrupt.

(7) Where, on the release removal resignation or death of a trustee in bankruptcy, an official receiver is acting as trustee, he may disclaim any property which might be disclaimed by a trustee under the foregoing provisions, notwithstanding that the time prescribed by this section for such disclaimer has expired, but such power of disclaimer shall be exerciseable only within twelve months after the official receiver has become trustee in the circumstances aforesaid, or has become aware of the existence of such property, whichever period may last expire.

(8) Any person injured by the operation of a disclaimer under this section shall be deemed to be a creditor of the bankrupt to the extent of the injury, and may accordingly prove the same as a debt under the bankruptcy.

Powers of trustee to deal with property.

55. Subject to the provisions of this Act, the trustee may do all or any of the following things:—

(1) Sell all or any part of the property of the bankrupt (including the goodwill of the business, if any, and the book debts due or growing due to the bankrupt), by public auction or private contract, with power to transfer the whole thereof to any person or company, or to sell the same in parcels:

(2) Give receipts for any money received by him, which receipts shall effectually discharge the person paying the money from all responsibility in respect of the application thereof:

(3) Prove, rank, claim, and draw a dividend in respect of any debt due to the bankrupt:

(4) Exercise any powers, the capacity to exercise which is vested in the trustee under this Act, and execute any powers of attorney, deeds and other instruments, for the purpose of carrying into effect the provisions of this Act:

(5) Deal with any property to which the bankrupt is beneficially entitled as tenant in tail in the same manner as the bankrupt might have dealt with it; and sections fifty-six to seventy-three of the Fines and Recoveries Act, 1833, shall extend and apply to proceedings under this Act as if those sections were herein re-enacted and in terms made applicable to those proceedings. 3 & 4 Will. 4. c. 74.

Powers exerciseable by trustee with permission of committee of inspection.

56. The trustee may, with the permission of the committee of inspection, do all or any of the following things:—

(1) Carry on the business of the bankrupt, so far as may be necessary for the beneficial winding up of the same;

(2) Bring, institute, or defend any action or other legal proceeding relating to the property of the bankrupt;

(3) Employ a solicitor or other agent to take any proceedings or do any business which may be sanctioned by the committee of inspection;

(4) Accept as the consideration for the sale of any property of the bankrupt a sum of money payable at a future time subject to such stipulations as to security and otherwise as the committee think fit;

(5) Mortgage or pledge any part of the property of the bankrupt for the purpose of raising money for the payment of his debts;

(6) Refer any dispute to arbitration, compromise any debts, claims, and liabilities, whether present or future, certain or contingent, liquidated or unliquidated, subsisting or supposed to subsist between the bankrupt and any person who may have incurred any liability to the bankrupt, on the receipt of such sums, payable at such times, and generally on such terms as may be agreed on;

(7) Make such compromise or other arrangement as may be thought expedient with creditors, or persons claiming to be creditors, in respect of any debts provable under the bankruptcy;

(8) Make such compromise or other arrangement as may be thought expedient with respect to any claim arising out of or incidental to the property of the bankrupt, made or capable of being made on the trustee by any person or by the trustee on any person;

(9) Divide in its existing form amongst the creditors, according to its estimated value, any property which from its peculiar nature or other special circumstances cannot be readily or advantageously sold.

The permission given for the purposes of this section shall not be a general permission to do all or any of the above-mentioned things, but shall only be a permission to do the particular thing or things for which permission is sought in the specified case or cases.

Power to allow bankrupt to manage property.

57. The trustee, with the permission of the committee of inspection, may appoint the bankrupt himself to superintend the management of the property of the bankrupt or of any part thereof, or to carry on the trade (if any) of the bankrupt for the benefit of his creditors, and in any other respect to aid in administering the property, in such manner and on such terms as the trustee may direct.

Allowance to bankrupt for maintenance or service.

58. The trustee may from time to time, with the permission of the committee of inspection, make such allowance as he may think just to the bankrupt out of his property for the support of the bankrupt and his family, or in consideration of his services

if he is engaged in winding up his estate, but any such allowance may be reduced by the court.

Right of trustee to inspect goods pawned, &c.

59. Where any goods of a debtor against whom a receiving order has been made are held by any person by way of pledge, pawn, or other security, it shall be lawful for the official receiver or trustee, after giving notice in writing of his intention to do so, to inspect the goods, and, where such notice has been given, such person as aforesaid shall not be entitled to realise his security until he has given the trustee a reasonable opportunity of inspecting the goods and of exercising his right of redemption if he thinks fit to do so.

Limitation of trustee's powers in relation to copyright.

60. Where the property of a bankrupt comprises the copyright in any work or any interest in such copyright, and he is liable to pay to the author of the work royalties or a share of the profits in respect thereof, the trustee shall not be entitled to sell, or authorise the sale of, any copies of the work, or to perform or authorise the performance of the work, except on the terms of paying to the author such sums by way of royalty or share of the profits as would have been payable by the bankrupt, nor shall he, without the consent of the author or of the court, be entitled to assign the right or transfer the interest or to grant any interest in the right by licence, except upon terms which will secure to the author payments by way of royalty or share of the profits at a rate not less than that which the bankrupt was liable to pay.

Protection of official receivers and trustees from personal liability in certain cases.

61. Where the official receiver or trustee has seized or disposed of any goods, chattels, property, or other effects in the possession or on the premises of a debtor against whom a receiving order has been made, without notice of any claim by any person in respect of the same, and it is thereafter made to appear that the said goods, chattels, property, or other effects were not, at the date of the receiving order, the property of the debtor, the official receiver or trustee shall not be personally liable for any loss or damage arising from such seizure or disposal sustained by any person claiming such property, nor for the costs of any proceedings taken to establish a claim thereto, unless the court is of opinion that the official receiver or trustee has been guilty of negligence in respect of the same.

Distribution of Property.

Declaration and distribution of dividends.

62.—(1) Subject to the retention of such sums as may be necessary for the costs of administration, or otherwise, the trustee shall, with all convenient speed, declare and distribute dividends amongst the creditors who have proved their debts.

(2) The first dividend, if any, shall be declared and distributed within four months after the conclusion of the first meeting of creditors, unless the trustee satisfies the committee of inspection that there is sufficient reason for postponing the declaration to a later date.

(3) Subsequent dividends shall, in the absence of sufficient reason to the contrary, be declared and distributed at intervals of not more than six months.

(4) Before declaring a dividend, the trustee shall cause notice of his intention to do so to be gazetted in the prescribed manner, and shall also send reasonable notice thereof to each creditor mentioned in the bankrupt's statement who has not proved his debt.

(5) When the trustee has declared a dividend, he shall send to each creditor who has proved a notice showing the amount of the dividend and when and how it is payable, and a statement in the prescribed form as to the particulars of the estate.

Joint and separate dividends.

63.—(1) Where one partner of a firm is adjudged bankrupt, a creditor to whom the bankrupt is indebted jointly with the other partners of the firm, or any of them, shall not receive any dividend out of the separate property of the bankrupt until all the separate creditors have received the full amount of their respective debts.

(2) Where joint and separate properties are being administered, dividends of the joint and separate properties shall, unless otherwise directed by the Board of Trade on the application of any person interested, be declared together, and the expenses of and incidental to such dividends shall be fairly apportioned by the trustee between the joint and separate properties, regard being had to the work done for and the benefit received by each property.

Provision for creditors residing at a distance, &c.

64.—(1) In the calculation and distribution of a dividend the trustee shall make provision for debts provable in bankruptcy appearing from the bankrupt's statements, or otherwise, to be due to persons resident in places so distant from the place where the trustee is acting that in the ordinary course of communication they have not had sufficient time to tender their proofs, or to establish them if disputed, and also for debts provable in bankruptcy the subject of claims not yet determined.

(2) He shall also make provision for any disputed proofs or claims, and for the expenses necessary for the administration of the estate or otherwise.

(3) Subject to the foregoing provisions, he shall distribute as dividend all money in hand.

Right of creditor who has not proved debt before declaration of a dividend.

65. Any creditor who has not proved his debt before the declaration of any dividend or dividends shall be entitled to be paid out of any money for the time being in the hands of the trustee any dividend or dividends he may have failed to receive before that money is applied to the payment of any future dividend or dividends, but he shall not be entitled to disturb the distribution of any dividend declared before his debt was proved by reason that he has not participated therein.

Interest on debts.

66.—(1) Where a debt has been proved, and the debt includes interest, or any pecuniary consideration in lieu of interest,

such interest or consideration shall, for the purposes of dividend, be calculated at a rate not exceeding five per centum per annum, without prejudice to the right of a creditor to receive out of the estate any higher rate of interest to which he may be entitled after all the debts proved in the estate have been paid in full.

Amended by the Moneylenders Act 1927, s. 9

(2) In dealing with the proof of the debt, the following rules shall be observed:—

(*a*) Any account settled between the debtor and the creditor within three years preceding the date of the receiving order may be examined, and, if it appears that the settlement of the account forms substantially one transaction with any debt alleged to be due out of the debtor's estate (whether in the form of renewal of a loan or capitalisation of interest or ascertainment of loans or otherwise), the account may be re-opened and the whole transaction treated as one;

(*b*) Any payments made by the debtor to the creditor before the receiving order, whether by way of bonus or otherwise, and any sums received by the creditor before the receiving order from the realisation of any security for the debt, shall, notwithstanding any agreement to the contrary, be appropriated to principal and interest in the proportion that the principal bears to the sum payable as interest at the agreed rate;

(*c*) Where the debt due is secured and the security is realised after the receiving order, or the value thereof is assessed in the proof, the amount realised or assessed shall be appropriated to the satisfaction of principal and interest in the proportion that the principal bears to the sum payable as interest at the agreed rate.

Final dividend.

67.—(1) When the trustee has realised all the property of the bankrupt, or so much thereof as can, in the joint opinion of himself and of the committee of inspection, be realised without needlessly protracting the trusteeship, he shall declare a final dividend, but before so doing he shall give notice in manner prescribed to the persons whose claims to be creditors have been notified to him, but not established to his satisfaction, that if they do not establish their claims to the satisfaction of the court within a time limited by the notice, he will proceed to make a final dividend, without regard to their claims.

(2) After the expiration of the time so limited, or, if the court on application by any such claimant grants him further time for establishing his claim, then on the expiration of such further time, the property of the bankrupt shall be divided among the creditors who have proved their debts, without regard to the claims of any other persons.

No action for dividend.

68. No action for a dividend shall lie against the trustee, but, if the trustee refuses to pay any dividend, the court may, if it thinks fit, order him to pay it, and also to pay out of his

own money interest thereon for the time that it is withheld, and the costs of the application.

Right of bankrupt to surplus.

69. The bankrupt shall be entitled to any surplus remaining after payment in full of his creditors, with interest, as by this Act provided, and of the costs, charges, and expenses of the proceedings under the bankruptcy petition.

PART III.

OFFICIAL RECEIVERS AND STAFF OF BOARD OF TRADE.

Official receivers of debtors' estates.

70.—(1) There shall continue to be official receivers of debtors' estates, who shall be appointed and removable by, and shall act under the general authority and directions of, the Board of Trade, but shall also be officers of the courts to which they are respectively attached.

(2) The number of official receivers, and the districts to be assigned to them, shall be fixed by the Board of Trade, with the concurrence of the Treasury. One person only shall be appointed for each district unless the Board of Trade, with the concurrence of the Treasury, otherwise direct; but the same person may, with the like concurrence, be appointed to act for more than one district.

(3) Where more than one official receiver is attached to the court, such one of them as is for the time being appointed by the court for any particular estate shall be the official receiver for the purposes of that estate. The court shall distribute the receiverships of the particular estates among the official receivers in the prescribed manner.

Deputy for official receiver.

71.—(1) The Board of Trade may by order direct that any of its officers mentioned in the order shall be capable of discharging the duties of any official receiver during any temporary vacancy in the office, or during the temporary absence of any official receiver through illness or otherwise.

(2) The Board of Trade may, on the application of an official receiver, at any time by order nominate some fit person to be his deputy, and to act for him for such time not exceeding two months as the order may fix, and under such conditions as to remuneration and otherwise as may be prescribed.

(3) The Board of Trade may by order, for reasons to be stated therein, direct in any special case that any of its officers mentioned in the order shall be capable of discharging any portion of the duties of the official receiver for the performance of which it is, in the opinion of the Board, expedient that some person other than the official receiver be appointed, provided that no additional expense be thereby incurred.

Status of official receiver.

72.—(1) The duties of the official receiver shall have relation both to the conduct of the debtor and to the administration of his estate.

(2) An official receiver may, for the purpose of affidavits verifying proofs, petitions, or other proceedings under this Act, administer oaths.

(3) All provisions in this or any other Act referring to the trustee in a bankruptcy shall, unless the context otherwise requires, or the Act otherwise provides, include the official receiver when acting as trustee.

(4) The trustee shall supply the official receiver with such information, and give him such access to and facilities for inspecting the bankrupt's books and documents, and generally shall give him such aid, as may be requisite for enabling the official receiver to perform his duties under this Act.

Duties of official receiver as regards the debtor's conduct.

73. As regards the debtor, it shall be the duty of the official receiver—

(*a*) To investigate the conduct of the debtor and to report to the court, stating whether there is reason to believe that the debtor has committed any act which constitutes a misdemeanour under this Act or any enactment repealed by this Act, or which would justify the court in refusing, suspending or qualifying an order for his discharge;

(*b*) To make such other reports concerning the conduct of the debtor as the Board of Trade may direct;

(*c*) To take such part as may be directed by the Board of Trade in the public examination of the debtor;

(*d*) To take such part and give such assistance in relation to the prosecution of any fraudulent debtor as the Board of Trade may direct.

Duties of official receiver as to debtor's estate.

74.—(1) As regards the estate of a debtor, it shall be the duty of the official receiver—

(*a*) Pending the appointment of a trustee, to act as interim receiver of the debtor's estate, and, where a special manager is not appointed, as manager thereof;

(*b*) To authorise the special manager to raise money or make advances for the purposes of the estate in any case where, in the interests of the creditors, it appears necessary so to do;

(*c*) To summon and preside at the first meeting of creditors;

(*d*) To issue forms of proxy for use at the meetings of creditors;

(*e*) To report to the creditors as to any proposal which the debtor may have made with respect to the mode of liquidating his affairs;

(*f*) To advertise the receiving order, the date of the creditors' first meeting and of the debtor's public examination, and such other matters as it may be necessary to advertise;

(*g*) To act as trustee during any vacancy in the office of trustee.

(2) For the purpose of his duties as interim receiver or manager, the official receiver shall have the same powers as if he were a receiver and manager appointed by the High Court, but shall, as far as practicable, consult the wishes of the creditors with respect to the management of the debtor's property, and may for that purpose, if he thinks it advisable, summon meetings of the persons claiming to be creditors, and shall not, unless the Board of Trade otherwise order, incur any expense beyond such as is requisite for the protection of the debtor's property or the disposing of perishable goods:

Provided that, when the debtor cannot himself prepare a proper statement of affairs, the official receiver may, subject to any prescribed conditions, and at the expense of the estate, employ some person or persons to assist in the preparation of the statement of affairs.

(3) Every official receiver shall account to the Board of Trade and pay over all moneys and deal with all securities in such manner as the Board from time to time direct.

Power for Board of Trade to appoint officers.

75. The Board of Trade may, with the approval of the Treasury as to number, appoint such officers, including official receivers, clerks, and servants, as may be required by the Board for the execution of this Act, and may dismiss any such officer clerk or servant.

PART IV.

TRUSTEES IN BANKRUPTCY.

Official Name.

Official name of trustee.

76. The official name of a trustee in bankruptcy shall be "the trustee of the property of a bankrupt" (inserting the name of the bankrupt), and by that name the trustee may, in any part of the British dominions or elsewhere, hold property of every description, make contracts, sue and be sued, enter into any engagements binding on himself and his successors in office, and do all other acts necessary or expedient to be done in the execution of his office.

Appointment.

Power to appoint joint or successive trustees.

77.—(1) The creditors may, if they think fit, appoint more persons than one to the office of trustee, and when more persons than one are appointed they shall declare whether any act required or authorised to be done by the trustee is to be done by all or any one or more of such persons, but all such persons are in this Act included under the term "trustee," and shall be joint tenants of the property of the bankrupt.

(2) The creditors may also appoint persons to act as trustees in succession in the event of one or more of the persons first named declining to accept the office of trustee, or failing to give security, or of the appointment of any such person not being certified by the Board of Trade.

Proceedings in case of vacancy in office of trustee.

78.—(1) If a vacancy occurs in the office of a trustee, the creditors in general meeting may appoint a person to fill the vacancy, and thereupon the same proceedings shall be taken as in the case of a first appointment.

(2) The official receiver shall, on the requisition of any creditor, summon a meeting for the purpose of filling any such vacancy.

(3) If the creditors do not, within three weeks after the occurrence of a vacancy, appoint a person to fill the vacancy, the official receiver shall report the matter to the Board of Trade, and the Board may appoint a trustee; but in such case the creditors or committee of inspection shall have the same power of appointing a trustee in the place of the person so appointed by the Board of Trade as in the case of a first appointment.

(4) During any vacancy in the office of trustee the official receiver shall act as trustee.

Control over Trustee.

Discretionary powers of trustee and control thereof.

79.—(1) Subject to the provisions of this Act, the trustee shall, in the administration of the property of the bankrupt and in the distribution thereof amongst his creditors, have regard to any directions that may be given by resolution of the creditors at any general meeting, or by the committee of inspection, and any directions so given by the creditors at any general meeting shall, in case of conflict, be deemed to override any directions given by the committee of inspection.

(2) The trustee may from time to time summon general meetings of the creditors for the purpose of ascertaining their wishes, and it shall be his duty to summon meetings at such times as the creditors, by resolution, either at the meeting appointing the trustee or otherwise may direct, and it shall be lawful for any creditor, with the concurrence of one-sixth in value of the creditors (including himself), at any time to request the trustee or official receiver to call a meeting of the creditors, and the trustee or official receiver shall call such meeting accordingly within fourteen days:

Provided that the person at whose instance the meeting is summoned shall deposit with the trustee or the official receiver, as the case may be, a sum sufficient to pay the costs of summoning the meeting, such sum to be repaid to him out of the estate if the creditors or the court so direct.

(3) The trustee may apply to the court in manner prescribed for directions in relation to any particular matter arising under the bankruptcy.

(4) Subject to the provisions of this Act, the trustee shall use his own discretion in the management of the estate and its distribution among the creditors.

Appeal to court against trustee.

80. If the bankrupt or any of the creditors, or any other person, is aggrieved by any act or decision of the trustee, he may apply to the court, and the court may confirm, reverse,

or modify the act or decision complained of, and make such order in the premises as it thinks just.

Control of Board of Trade over trustees.

81.—(1) The Board of Trade shall take cognizance of the conduct of trustees, and, in the event of any trustee not faithfully performing his duties, and duly observing all the requirements imposed on him by statute, rules, or otherwise, with respect to the performance of his duties, or in the event of any complaint being made to the Board by any creditor in regard thereto, the Board shall inquire into the matter and take such action thereon as may be deemed expedient.

(2) The Board may at any time require any trustee to answer any inquiry made by them in relation to any bankruptcy in which the trustee is engaged, and may, if the Board think fit, apply to the court to examine on oath the trustee or any other person concerning the bankruptcy.

(3) The Board may also direct a local investigation to be made of the books and vouchers of the trustee.

Remuneration and Costs.

Remuneration of trustee.

82.—(1) Where the creditors appoint any person to be trustee of a debtor's estate, his remuneration (if any) shall be fixed by an ordinary resolution of the creditors, or, if the creditors so resolve, by the committee of inspection, and shall be in the nature of a commission or percentage, of which one part shall be payable on the amount realised by the trustee, after deducting any sums paid to secured creditors out of the proceeds of their securities, and the other part on the amount distributed in dividend.

(2) If one fourth in number or value of the creditors dissent from the resolution, or the bankrupt satisfies the Board of Trade that the remuneration is unnecessarily large, the Board of Trade shall fix the amount of the remuneration.

(3) The resolution shall express what expenses the remuneration is to cover, and no liability shall attach to the bankrupt's estate, or to the creditors, in respect of any expenses which the remuneration is expressed to cover.

(4) Where a trustee acts without remuneration, he shall be allowed out of the bankrupt's estate such proper expenses incurred by him in or about the proceedings of the bankruptcy as the creditors may, with the sanction of the Board of Trade, approve.

(5) A trustee shall not, under any circumstances whatever, make any arrangement for or accept from the bankrupt, or any solicitor, auctioneer, or any other person that may be employed about a bankruptcy, any gift, remuneration, or pecuniary or other consideration or benefit whatever beyond the remuneration fixed by the creditors and payable out of the estate, nor shall he make any arrangement for giving up, or give up, any part of his remuneration, either as receiver, manager, or trustee, to

the bankrupt or any solicitor or other person that may be employed about a bankruptcy.

Allowance and taxation of costs.

83.—(1) Where a trustee or manager receives remuneration for his services as such, no payment shall be allowed in his accounts in respect of the performance by any other person of the ordinary duties which are required by statute or rules to be performed by himself.

(2) Where the trustee is a solicitor, he may contract that the remuneration for his services as trustee shall include all professional services.

(3) All bills and charges of solicitors, managers, accountants, auctioneers, brokers, and other persons, not being trustees, shall be taxed by the prescribed officer, and no payments in respect thereof shall be allowed in the trustee's accounts without proof of such taxation having been made. The taxing master shall satisfy himself before passing such bills and charges that the employment of such solicitors and other persons, in respect of the particular matters out of which such charges arise, has been duly sanctioned. The sanction must be obtained before the employment, except in cases of urgency, and in such cases it must be shown that no undue delay took place in obtaining the sanction.

(4) Every such person shall, on request by the trustee (which request the trustee shall make a sufficient time before declaring a dividend), deliver his bill of costs or charges to the proper officer for taxation, and, if he fails to do so within seven days after receipt of the request, or such further time as the court, on application, may grant, the trustee shall declare and distribute the dividend without regard to any claim by him, and thereupon any such claim shall be forfeited as well against the trustee personally as against the estate.

Receipts, Payments, Accounts, Audit.

Trustee to furnish list of creditors.

84. The trustee or official receiver shall, whenever required by any creditor so to do, furnish and transmit to him by post a list of the creditors showing the amount of the debt due to each creditor, and shall be entitled to charge for such list the sum of threepence per folio of seventy-two words, together with the cost of the postage thereof.

Trustee to furnish statement of accounts.

85. It shall be lawful for any creditor, with the concurrence of one sixth of the creditors (including himself), at any time to call upon the trustee or official receiver to furnish and transmit to the creditors a statement of the accounts up to the date of such notice, and the trustee shall, upon receipt of such notice, furnish and transmit such statement of the accounts:

Provided that the person at whose instance the accounts are furnished shall deposit with the trustee or official receiver, as the case may be, a sum sufficient to pay the costs of furnishing and transmitting the accounts, which sum shall be repaid to him out of the estate if the creditors or the court so direct.

Books to be kept by trustee.

86. The trustee shall keep, in manner prescribed, proper books, in which he shall from time to time cause to be made entries or minutes of proceedings at meetings, and of such other matters as may be prescribed, and any creditor of the bankrupt may, subject to the control of the court, personally or by his agent, inspect any such books.

Annual statement of proceedings.

87.—(1) Every trustee in a bankruptcy shall from time to time, as may be prescribed, and not less than once in every year during the continuance of the bankruptcy, transmit to the Board of Trade a statement showing the proceedings in the bankruptcy up to the date of the statement, containing the prescribed particulars, and made out in the prescribed form.

(2) The Board of Trade shall cause the statements so transmitted to be examined, and shall call the trustee to account for any misfeasance, neglect, or omission, which may appear on the said statements or in his accounts or otherwise, and may require the trustee to make good any loss which the estate of the bankrupt may have sustained by the misfeasance, neglect, or omission.

Trustee not to pay into private account.

88. No trustee in a bankruptcy or under any composition or scheme of arrangement shall pay any sums received by him as trustee into his private banking account.

Payment of money into Bank of England.

89.—(1) The Bankruptcy Estates Account shall continue to be kept by the Board of Trade with the Bank of England, and all moneys received by the Board of Trade in respect of proceedings under this Act shall be paid to that account.

(2) Every trustee in bankruptcy shall, in such manner and at such times as the Board of Trade with the concurrence of the Treasury direct, pay the money received by him to the Bankruptcy Estates Account at the Bank of England, and the Board of Trade shall furnish him with a certificate of receipt of the money so paid.

Provided that—

(*a*) if it appears to the committee of inspection that, for the purpose of carrying on the debtor's business or of obtaining advances, or because of the probable amount of the cash balance, or if the committee shall satisfy the Board of Trade that for any other reason it is for the advantage of the creditors that the trustee should have an account with a local bank, the Board of Trade shall, on the application of the committee of inspection, authorise the trustee to make his payments into and out of such local bank as the committee may select;

(*b*) in any bankruptcy composition or scheme of arrangement in which the official receiver is acting as trustee, or in which a trustee is acting without a committee of inspection, the Board of Trade may, if for special reasons they think fit to do so, upon

the application of the official receiver or other trustee, authorise the trustee to make his payments into and out of such local bank as the Board may direct.

(3) Where the trustee opens an account in a local bank, he shall open and keep it in the name of the debtor's estate, and any interest receivable in respect of the account shall be part of the assets of the estate, and the trustee shall make his payments into and out of the local bank in the prescribed manner.

(4) Subject to any general rules relating to small bankruptcies under section one hundred and twenty-nine of this Act, where the debtor at the date of the receiving order has an account at a bank, such account shall not be withdrawn until the expiration of seven days from the day appointed for the first meeting of creditors, unless the Board of Trade, for the safety of the account, or other sufficient cause, order the withdrawal of the account.

(5) If a trustee at any time retains for more than ten days a sum exceeding fifty pounds, or such other amount as the Board of Trade in any particular case authorise him to retain, then, unless he explains the retention to the satisfaction of the Board of Trade, he shall pay interest on the amount so retained in excess at the rate of twenty per centum per annum, and shall have no claim to remuneration, and may be removed from his office by the Board of Trade, and shall be liable to pay any expenses occasioned by reason of his default.

(6) All payments out of money standing to the credit of the Board of Trade in the Bankruptcy Estates Account shall be made by the Bank of England in the prescribed manner.

Investment of surplus funds.

90.—(1) Whenever the cash balance standing to the credit of the Bankruptcy Estates Account is in excess of the amount which in the opinion of the Board of Trade is required for the time being to answer demands in respect of bankrupts' estates, the Board of Trade shall notify the same to the Treasury, and shall pay over the same or any part thereof as the Treasury may require to the Treasury, to such account as the Treasury may direct, and the Treasury may invest the said sums or any part thereof in Government securities to be placed to the credit of the said account.

(2) Whenever any part of the money so invested is, in the opinion of the Board of Trade, required to answer any demands in respect of bankrupts' estates, the Board of Trade shall notify to the Treasury the amount so required, and the Treasury shall thereupon repay to the Board of Trade such sum as may be required to the credit of the Bankruptcy Estates Account, and for that purpose may direct the sale of such part of the said securities as may be necessary.

(3) The Treasury, out of any sums so paid to them, may pay such sums as they consider necessary for defraying the expenses of providing office accommodation for any officer performing duties under this Act.

(4) If, after any sum is so expended, the Board of Trade notify to the Treasury that an amount is required to answer the demands in respect of bankrupts' estates, and the securities and moneys held by the Treasury on the account mentioned in this section are insufficient to pay the amount so required, the Treasury shall, for the purpose of meeting the deficiency, charge on and pay out of the Consolidated Fund or the growing produce thereof, the sum expended in pursuance of the last subsection, or of any corresponding enactment repealed by this Act, or such part thereof as appears to them to be required.

(5) The dividends on the investments under this section shall be paid to such account as the Treasury may direct, and regard shall be had to the amount thus derived in fixing the fees payable in respect of bankruptcy proceedings.

Certain receipts and fees to be applied in aid of expenditure.

91. The Treasury may issue to the Board of Trade in aid of the votes of Parliament, out of the receipts arising from fees, fee stamps, and dividends on investments under this Act, any sums which may be necessary to meet the charges estimated by the Board of Trade in respect of salaries and expenses under this Act.

Audit of trustee's accounts.

92.—(1) Every trustee shall, at such times as may be prescribed, but not less than twice in each year during his tenure of office, send to the Board of Trade, or as they direct, an account of his receipts and payments as such trustee.

(2) The account shall be in a prescribed form, shall be made in duplicate, and shall be verified by a statutory declaration in the prescribed form.

(3) The Board of Trade shall cause the accounts so sent to be audited, and, for the purposes of the audit, the trustee shall furnish the Board with such vouchers and information as the Board may require, and the Board may at any time require the production of and inspect any books or accounts kept by the trustee.

(4) When any such account has been audited, one copy thereof shall be filed and kept by the Board, and the other copy shall be filed with the court, and each copy shall be open to the inspection of any creditor, or of the bankrupt, or of any person interested.

Vacation of Office by Trustee.

Release of trustee.

93.—(1) When the trustee has realised all the property of the bankrupt, or so much thereof as can, in his opinion, be realised without needlessly protracting the trusteeship, and distributed a final dividend, if any, or has ceased to act by reason of a composition having been approved, or has resigned, or has been removed from his office, the Board of Trade shall, on his application, cause a report on his accounts to be prepared, and, on his complying with all the requirements of the Board, shall take into consideration the report, and any objection which may be urged by any creditor or person interested against the

release of the trustee, and shall either grant or withhold the release accordingly, subject nevertheless to an appeal to the High Court.

(2) Where the release of a trustee is withheld, the court may, on the application of any creditor or person interested, make such order as it thinks just, charging the trustee with the consequences of any act or default he may have done or made contrary to his duty.

(3) An order of the Board releasing the trustee shall discharge him from all liability in respect of any act done or default made by him in the administration of the affairs of the bankrupt, or otherwise in relation to his conduct as trustee, but any such order may be revoked on proof that it was obtained by fraud or by suppression or concealment of any material fact.

(4) The foregoing provisions of this section shall apply to an official receiver when he is, or is acting as, trustee, and when an official receiver has been released under this section, or any previous similar enactment, he shall continue to act as trustee for any subsequent purposes of the administration of the debtor's estate, but no liability shall attach to him personally by reason of his so continuing in respect of any act done, default made, or liability incurred before his release.

(5) Where the trustee has not previously resigned or been removed, his release shall operate as a removal of him from his office, and thereupon the official receiver shall be the trustee.

(6) Where, on the release of a trustee, an official receiver is, or is acting as, trustee, no liability shall attach to him personally in respect of any act done or default made, or liability incurred, by any prior trustee.

Office of trustee vacated by insolvency.

94. If a receiving order is made against a trustee, he shall thereby vacate his office of trustee.

Removal of trustee.

95.—(1) The creditors may, by ordinary resolution, at a meeting specially called for that purpose, of which seven days' notice has been given, remove a trustee appointed by them, and may, at the same or any subsequent meeting, appoint another person to fill the vacancy as herein-after provided in case of a vacancy in the office of trustee.

(2) If the Board of Trade are of opinion—

(*a*) that a trustee appointed by the creditors is guilty of misconduct, or fails to perform his duties under this Act; or

(*b*) that his trusteeship is being needlessly protracted without any probable advantage to the creditors; or

(*c*) that he is by reason of lunacy, or continued sickness or absence, incapable of performing his duties; or

(*d*) that his connection with or relation to the bankrupt or his estate, or any particular creditor, might make it difficult for him to act with impartiality in the interest of the creditors generally; or

where in any other matter he has been removed from office on the ground of misconduct, the Board may remove him from his office, but if the creditors by ordinary resolution disapprove of his removal, he or they may appeal against it to the High Court.

PART V.

CONSTITUTION, PROCEDURE, AND POWERS OF COURT.

Jurisdiction.

Jurisdiction to be exercised by High Court and county courts.

96.—(1) The courts having jurisdiction in bankruptcy shall be the High Court and the county courts.

(2) But the Lord Chancellor may from time to time, by order under his hand, exclude any county court from having jurisdiction in bankruptcy, and for the purposes of bankruptcy jurisdiction may attach its district or any part thereof to the High Court, or to any other county court or courts, and may from time to time revoke or vary any order so made. The Lord Chancellor may, in like manner and subject to the like conditions, detach the district of any county court or any part thereof from the district and jurisdiction of the High Court.

(3) The term "district," when used in this Act with reference to a county court, means the district of the court for the purposes of bankruptcy jurisdiction.

(4) A county court which at the commencement of this Act is excluded from having bankruptcy jurisdiction shall continue to be so excluded until the Lord Chancellor otherwise orders, and the districts existing at the commencement of this Act shall subsist until the Lord Chancellor otherwise orders.

(5) Periodical sittings for the transaction of bankruptcy business by county courts having jurisdiction in bankruptcy shall be held at such times and at such intervals as the Lord Chancellor prescribes for each such court.

Transaction of bankruptcy business by special judge of High Court. 36 & 37 Vict. c. 66.

97.—(1) Subject to general rules, and to orders of transfer made under the authority of the Supreme Court of Judicature Act, 1873, and Acts amending it, all matters in respect of which jurisdiction is given to the High Court by this Act shall be assigned to such division of the High Court as the Lord Chancellor may from time to time direct.

(2) All such matters shall, subject as aforesaid, be ordinarily transacted and disposed of by or under the direction of one of the judges of the High Court, and the Lord Chancellor shall from time to time assign a judge for that purpose.

Provided that during vacation, or during the illness of the judge so assigned, or during his absence, or for any other reasonable cause, such matters or any part thereof, may be transacted and disposed of by or under the directions of any judge of the High Court named for that purpose by the Lord Chancellor.

(3) Subject to general rules, all bankruptcy matters shall be entitled, "In bankruptcy."

Petition, where to be presented.

98.—(1) If the debtor by or against whom a bankruptcy petition is presented has resided or carried on business within the London bankruptcy district as defined by this Act for the greater part of the six months immediately preceding the presentation of the petition, or for a longer period during those six months than in the district of any county court, or is not resident in England, or if the petitioning creditor is unable to ascertain the residence of the debtor, the petition shall be presented to the High Court.

(2) In any other case the petition shall be presented to the county court for the district in which the debtor has resided or carried on business for the longest period during the six months immediately preceding the presentation of the petition.

(3) Nothing in this section shall invalidate a proceeding by reason of its being taken in a wrong court.

Definition of London bankruptcy district.

99. The London bankruptcy district shall, for the purposes of this Act, comprise the city of London and the liberties thereof, and all such parts of the metropolis and other places as are situated within the district of any county court described as a metropolitan county court in the list contained in the Third Schedule to this Act.

Transfer of proceeding from court to court.

100.—(1) Subject to the provisions of this Act, every court having original jurisdiction in bankruptcy shall have jurisdiction throughout England.

(2) Any proceedings in bankruptcy may at any time, and at any stage thereof, and either with or without application from any of the parties thereto, be transferred by any prescribed authority and in the prescribed manner from one court to another court, or may, by the like authority, be retained in the court in which the proceedings were commenced, although it may not be the court in which the proceedings ought to have been commenced.

(3) If any question of law arises in any bankruptcy proceeding in a county court which all the parties to the proceeding desire, or which one of them and the judge of the county court desire, to have determined in the first instance in the High Court, the judge shall state the facts in the form of a special case for the opinion of the High Court. The special case and the proceedings, or such of them as may be required, shall be transmitted to the High Court for the purposes of the determination.

Exercise in chambers of High Court jurisdiction.

101. Subject to the provisions of this Act and to general rules, the judge of the High Court exercising jurisdiction in bankruptcy may exercise in chambers the whole or any part of his jurisdiction.

Jurisdiction in bankruptcy of registrar.

102.—(1) The registrars in bankruptcy of the High Court, and the registrars of county courts having jurisdiction in bankruptcy, shall have the powers and jurisdiction in this section mentioned, and any order made or act done by such

registrars in the exercise of the said powers and jurisdiction shall be deemed the order or act of the court.

(2) Subject to general rules limiting the powers conferred by this section, a registrar shall have power—

(*a*) To hear bankruptcy petitions, and to make receiving orders and adjudications thereon ;

(*b*) To hold the public examination of debtors ;

(*c*) To grant orders of discharge where the application is not opposed ;

(*d*) To approve compositions or schemes of arrangement where they are not opposed ;

(*e*) To make interim orders in cases of urgency ;

(*f*) To make any order or exercise any jurisdiction which by any rule in that behalf is prescribed as proper to be made or exercised in chambers ;

(*g*) To hear and determine any unopposed or ex parte application ;

(*h*) To summon and examine any person known or suspected to have in his possession effects of the debtor or to be indebted to him, or capable of giving information respecting the debtor, his dealings or property.

(3) The registrars in bankruptcy of the High Court shall also have power to grant orders of discharge and certificates of removal of disqualifications, and to approve compositions and schemes of arrangement.

(4) A registrar shall not have power to commit for contempt of court.

(5) The Lord Chancellor may by order direct that any specified registrar of a county court shall have and exercise all the powers of a registrar in bankruptcy of the High Court.

Powers of county court.

103. A county court shall, for the purposes of its bankruptcy jurisdiction, in addition to the ordinary powers of the court, have all the powers and jurisdiction of the High Court, and the orders of the court may be enforced accordingly in manner prescribed.

Board of Trade to make payments in accordance with directions of court.

104. Where any moneys or funds have been received by an official receiver or by the Board of Trade, and the court makes an order declaring that any person is entitled to such moneys or funds, the Board of Trade shall make an order for the payment thereof to that person.

General power of bankruptcy courts.

105.—(1) Subject to the provisions of this Act, every court having jurisdiction in bankruptcy under this Act, shall have full power to decide all questions of priorities, and all other questions whatsoever, whether of law or fact, which may arise in any case of bankruptcy coming within the cognizance of the court, or which the court may deem it expedient or necessary to decide for the purpose of doing complete justice or making a complete distribution of property in any such case :

Provided that the jurisdiction hereby given shall not be exercised by the county court for the purpose of adjudicating upon any claim, not arising out of the bankruptcy, which might heretofore have been enforced by action in the High Court, unless all parties to the proceeding consent thereto, or the money, money's worth, or right in dispute does not, in the opinion of the judge, exceed in value two hundred pounds.

(2) A court having jurisdiction in bankruptcy under this Act shall not be subject to be restrained in the execution of its powers under this Act by the order of any other court, nor shall any appeal lie from its decisions, except in manner directed by this Act.

(3) If in any proceeding in bankruptcy there arises any question of fact which either of the parties desire to be tried before a jury instead of by the court itself, or which the court thinks ought to be tried by a jury, the court may, if it thinks fit, direct the trial to be had with a jury, and the trial may be had accordingly in the High Court in the same manner as if it were the trial of an issue of fact in an action, and in the county court in the manner in which jury trials in ordinary cases are by law held in that court.

(4) Where a receiving order has been made in the High Court under this Act, the judge by whom such order was made shall have power, if he sees fit, without any further consent, to order the transfer to such judge of any action pending in any other division and brought or continued by or against the bankrupt.

(5) Where default is made by a trustee, debtor, or other person, in obeying any order or direction given by the Board of Trade, or by an official receiver or any other officer of the Board of Trade under any power conferred by this Act or any enactment repealed by this Act, the court may, on the application of the Board of Trade or an official receiver or other duly authorised person, order such defaulting trustee, debtor, or person to comply with the order or direction so given; and the court may also, if it thinks fit, upon any such application, make an immediate order for the committal of such defaulting trustee, debtor, or other person; provided that the power given by this subsection shall be deemed to be in addition to and not in substitution for any other right or remedy in respect of such default.

Notification of bankruptcy of peers and members of Parliament.

106.—(1) If a peer of the United Kingdom or of any part of the United Kingdom or any other Lord of Parliament is adjudged bankrupt, the court shall cause the fact of his having been adjudged bankrupt to be certified as soon as may be to the Speaker of the House of Lords and the Clerk of the Crown in Chancery.

(2) If a member of the House of Commons is adjudged bankrupt, and the disqualifications arising from his bankruptcy are not removed within six months from the date of the order,

the court shall immediately after the expiration of that time certify the same to the Speaker of the House of Commons.

Judgment Debtors.

Judgment debtor's summons to be bankruptcy business. 32 & 33 Vict. c. 62.

107.—(1) It shall be lawful for the Lord Chancellor by order to direct that the jurisdiction and powers under section five of the Debtors Act, 1869, now vested in the High Court, shall be assigned to and exercised by the judge to whom bankruptcy business is assigned.

(2) It shall be lawful also for the Lord Chancellor in like manner to direct that the whole or any part of the said jurisdiction and powers shall be delegated to and exercised by the registrars in bankruptcy of the High Court.

(3) Any order made under this section may, at any time, in like manner, be rescinded or varied.

(4) Where, under section five of the Debtors Act, 1869, application is made by a judgment creditor to a court having bankruptcy jurisdiction for the committal of a judgment debtor, the court may, if it thinks fit, decline to commit, and in lieu thereof, with the consent of the judgment creditor and on payment by him of the prescribed fee, make a receiving order against the debtor. In such case the judgment debtor shall be deemed to have committed an act of bankruptcy at the time the order is made, and the provisions of this Act except Part VII. thereof shall apply as if for references to the presentation of a petition by or against a person there were substituted references to the making of such a receiving order.

(5) General rules under this Act may be made for the purpose of carrying into effect the provisions of the Debtors Act, 1869.

Appeals.

Appeals in bankruptcy.

108.—(1) Every court having jurisdiction in bankruptcy under this Act may review, rescind or vary any order made by it under its bankruptcy jurisdiction.

(2) Orders in bankruptcy matters shall, at the instance of any person aggrieved, be subject to appeal as follows :—

(*a*) Where the order is made by a county court, an appeal shall lie to a divisional court of the High Court, of which the judge to whom bankruptcy business is for the time being assigned shall, for the purpose of hearing any such appeal, be a member. The decision of the divisional court upon any such appeal shall be final and conclusive, unless in any case the divisional court or the Court of Appeal sees fit to give special leave to appeal therefrom to the court of appeal, whose decision in such case shall be final and conclusive ;

(*b*) Where the order (not being an order on appeal from a county court) is made by the High Court, an appeal shall lie to the Court of Appeal, and an appeal

shall, with the leave of the Court of Appeal, but not otherwise, lie from the order of that court to the House of Lords;

(*c*) No appeal shall be entertained except in conformity with such general rules as may for the time being be in force in relation to the appeal.

(3) Where by this Act an appeal to the High Court is given against any decision of the Board of Trade, or of the official receiver, the appeal shall be brought within twenty-one days from the time when the decision appealed against is pronounced or made.

Procedure.

Discretionary powers of court.

109.—(1) Subject to the provisions of this Act and to general rules, the costs of and incidental to any proceeding in court under this Act shall be in the discretion of the court: Provided that, where any issue is tried by a jury, the costs shall follow the event, unless, upon application made at the trial, for good cause shown, the judge before whom such issue is tried otherwise orders.

(2) The court may at any time adjourn any proceedings before it upon such terms, if any, as it may think fit to impose.

(3) The court may at any time amend any written process or proceeding under this Act upon such terms, if any, as it may think fit to impose.

(4) Where by this Act, or by general rules, the time for doing any act or thing is limited, the court may extend the time either before or after the expiration thereof, upon such terms, if any, as the court may think fit to impose.

(5) Subject to general rules, the court may in any matter take the whole or any part of the evidence either vivâ voce, or by interrogatories, or upon affidavit, or, out of the United Kingdom, by commission.

Consolidation of petitions.

110. Where two or more bankruptcy petitions are presented against the same debtor or against joint debtors, the court may consolidate the proceedings, or any of them, on such terms as the court thinks fit.

Power to change carriage of proceedings.

111. Where the petitioner does not proceed with due diligence on his petition, the court may substitute as petitioner any other creditor to whom the debtor may be indebted in the amount required by this Act in the case of the petitioning creditor.

Continuance of proceedings on death of debtor.

112. If a debtor by or against whom a bankruptcy petition has been presented dies, the proceedings in the matter shall, unless the court otherwise orders, be continued as if he were alive.

Power to stay proceedings.

113. The court may at any time, for sufficient reason, make an order staying the proceedings under a bankruptcy petition, either altogether or for a limited time, on such terms and subject to such conditions as the court may think just.

Power to present petition against one partner.

114. Any creditor whose debt is sufficient to entitle him to present a bankruptcy petition against all the partners of a firm may present a petition against any one or more partners of the firm without including the others.

Power to dismiss petition against some respondents only.

115. Where there are more respondents than one to a petition, the court may dismiss the petition as to one or more of them, without prejudice to the effect of the petition as against the other or others of them.

Property of partners to be vested in same trustee.

116. Where a receiving order has been made on a bankruptcy petition by or against one member of a partnership, any other bankruptcy petition by or against a member of the same partnership shall be filed in or transferred to the court in which the first-mentioned petition is in course of prosecution, and, unless the court otherwise directs, the same trustee or receiver shall be appointed as may have been appointed in respect of the property of the first-mentioned member of the partnership, and the court may give such directions for consolidating the proceedings under the petitions as it thinks just.

Actions by trustee and bankrupt's partners.

117. Where a member of a partnership is adjudged bankrupt, the court may authorise the trustee to commence and prosecute any action in the names of the trustee and of the bankrupt's partner; and any release by such partner of the debt or demand to which the action relates shall be void; but notice of the application for authority to commence the action shall be given to him, and he may show cause against it, and on his application the court may, if it thinks fit, direct that he shall receive his proper share of the proceeds of the action, and, if he does not claim any benefit therefrom, he shall be indemnified against costs in respect thereof as the court directs.

Actions on joint contracts.

118. Where a bankrupt is a contractor in respect of any contract jointly with any person or persons, such person or persons may sue or be sued in respect of the contract without the joinder of the bankrupt.

Proceedings in partnership name.

119. Any two or more persons, being partners, or any person carrying on business under a partnership name, may take proceedings or be proceeded against under this Act in the name of the firm, but in such case the court may, on application by any person interested, order the names of the persons who are partners in such firm or the name of such person to be disclosed in such manner, and verified on oath or otherwise, as the court may direct.

Officers.

Disabilities of officers.

120.—(1) No registrar or other officer attached to any court having jurisdiction in bankruptcy shall, during his continuance in office, be capable of being elected or sitting as a member of the House of Commons.

(2) No registrar or official receiver or other officer attached to any such court shall, during his continuance in office, either

directly or indirectly, by himself, his clerk, or partner, act as solicitor in any proceeding in bankruptcy or in any prosecution of a debtor by order of the court, and, if he does so act, he shall be liable to be dismissed from office.

Provided that nothing in this section shall affect the right of any registrar or officer appointed before the twenty-fifth day of August eighteen hundred and eighty-three to act as solicitor by himself, his clerk, or partner to the extent permitted by section sixty-nine of the Bankruptcy Act, 1869. 32 & 33 Vict. c. 71.

Orders and Warrants of Court.

121. Any order made by a court having jurisdiction in bankruptcy in England under this Act or any enactment repealed by this Act shall be enforced in Scotland and Ireland in the courts having jurisdiction in bankruptcy in those parts of the United Kingdom respectively, in the same manner in all respects as if the order had been made by the court hereby required to enforce it; and in like manner any order made by a court having jurisdiction in bankruptcy in Scotland shall be enforced in England and Ireland, and any order made by a court having jurisdiction in bankruptcy in Ireland shall be enforced in England and Scotland by the courts respectively having jurisdiction in bankruptcy in the part of the United Kingdom where the orders may require to be enforced, and in the same manner in all respects as if the order had been made by the court required to enforce it in a case of bankruptcy within its own jurisdiction. Enforcement of orders of courts throughout United Kingdom.

122. The High Court, the county courts, the courts having jurisdiction in bankruptcy in Scotland and Ireland, and every British court elsewhere having jurisdiction in bankruptcy or insolvency, and the officers of those courts respectively, shall severally act in aid of and be auxiliary to each other in all matters of bankruptcy, and an order of the court seeking aid, with a request to another of the said courts, shall be deemed sufficient to enable the latter court to exercise, in regard to the matters directed by the order, such jurisdiction as either the court which made the request, or the court to which the request is made, could exercise in regard to similar matters within their respective jurisdictions. Courts to be auxiliary to each other.

123.—(1) Any warrant of a court having jurisdiction in bankruptcy in England may be enforced in Scotland, Ireland, the Isle of Man, the Channel Islands, and elsewhere in His Majesty's dominions, in the same manner and subject to the same privileges in and subject to which a warrant issued by any justice of the peace against a person for an indictable offence against the laws of England, may be executed in those parts of His Majesty's dominions respectively, in pursuance of the Acts of Parliament in that behalf. Warrants of bankruptcy courts.

(2) A search warrant issued by a court having jurisdiction in bankruptcy for the discovery of any property of a debtor may

be executed in manner prescribed or in the same manner and subject to the same privileges in and subject to which a search warrant for property supposed to be stolen may be executed according to law.

Commitment to prison.

124. Where the court commits any person to prison, the commitment may be to such convenient prison as the court thinks expedient, and, if the gaoler of any prison refuses to receive any prisoner so committed, he shall be liable for every such refusal to a fine not exceeding one hundred pounds.

PART VI.

SUPPLEMENTAL PROVISIONS.

Application of Act.

Married women.

125.—(1) Every married woman who carries on a trade or business, whether separately from her husband or not, shall be subject to the bankruptcy laws as if she were a feme sole.

(2) Where a married woman carries on a trade or business and a final judgment or order for any amount has been obtained against her, whether or not expressed to be payable out of her separate property, that judgment or order shall be available for bankruptcy proceedings against her by a bankruptcy notice as though she were personally bound to pay the judgment debt or sum ordered to be paid.

Exclusion of companies. 8 Edw. 7. c. 69.

126. A receiving order shall not be made against any corporation or against any partnership or association or company registered under the Companies (Consolidation) Act, 1908, or any enactment repealed by that Act.

Application to limited partnerships.

127. Subject to such modifications as may be made by general rules under this Act, the provisions of this Act shall apply to limited partnerships in like manner as if limited partnerships were ordinary partnerships, and, on all the general partners of a limited partnership being adjudged bankrupt, the assets of the limited partnership shall vest in the trustee.

Privilege of Parliament.

128. If a person having privilege of Parliament commits an act of bankruptcy, he may be dealt with under this Act in like manner as if he had not such privilege.

Application of Act in case of small estates.

129. Where a petition is presented by or against a debtor, if the court is satisfied by affidavit or otherwise, or the official receiver reports to the court, that the property of the debtor is not likely to exceed in value three hundred pounds, the court may make an order that the debtor's estate be administered in a summary manner, and thereupon the provisions of this Act shall be subject to the following modifications:—

(i) If the debtor is adjudged bankrupt the official receiver shall be the trustee in the bankruptcy;

(ii) There shall be no committee of inspection, but the official receiver may do with the permission of the

Board of Trade all things which may be done by the trustee with the permission of the committee of inspection ;

(iii) Such other modifications may be made in the provisions of this Act as may be prescribed by general rules with the view of saving expense and simplifying procedure ; but nothing in this section shall permit the modification of the provisions of this Act relating to the examination or discharge of the debtor.

Provided that the creditors may at any time, by special resolution, resolve that some person other than the official receiver be appointed trustee in the bankruptcy, and thereupon the bankruptcy shall proceed as if an order for summary administration had not been made.

Administration in bankruptcy of estate of person dying insolvent.

130.—(1) Any creditor of a deceased debtor whose debt would have been sufficient to support a bankruptcy petition against the debtor, had he been alive, may present to the court a petition in the prescribed form praying for an order for the administration of the estate of the deceased debtor, according to the law of bankruptcy.

(2) Upon the prescribed notice being given to the legal personal representative of the deceased debtor, the court may, in the prescribed manner, upon proof of the petitioner's debt, unless the court is satisfied that there is a reasonable probability that the estate will be sufficient for the payment of the debts owing by the deceased, make an order for the administration in bankruptcy of the deceased debtor's estate, or may, upon cause shown, dismiss the petition with or without costs.

(3) A petition for administration under this section shall not be presented to the court after proceedings have been commenced in any court of justice for the administration of the deceased debtor's estate, but that court may, when satisfied that the estate is insufficient to pay its debts, transfer the proceedings to the court exercising jurisdiction in bankruptcy, and thereupon the last-mentioned court may, in the prescribed manner, make an order for the administration of the estate of the deceased debtor, and the like consequences shall ensue as under an administration order made on the petition of a creditor.

(4) Upon an order being made for the administration of a deceased debtor's estate, the property of the debtor shall vest in the official receiver of the court, as trustee thereof, and he shall forthwith proceed to realise and distribute it in accordance with the provisions of this Act.

Provided that the creditors shall have the same powers as to appointment of trustees and committees of inspection as they have in other cases where the estate of a debtor is being administered or dealt with in bankruptcy, and the provisions of this Act, relating to trustees and committees of inspection, shall apply to trustees and committees of inspection appointed under the power so conferred.

If no committee of inspection is appointed, any act or thing or any direction or permission which might have been done or given by a committee of inspection may be done or given by the Board of Trade.

(5) With the modifications herein-after mentioned, all the provisions of Part II. of this Act (relating to the administration of the property of a bankrupt) and, subject to any modification that may be made therein by general rules under subsection eleven of this section, the following provisions, namely, section twenty-five of this Act (which relates to inquiries as to the debtor's conduct, dealings, and property); section eighty-three of this Act (which relates to the costs of trustees, managers, and other persons); section one hundred and twenty-nine of this Act (which relates to the summary administration of small estates); and subsection (4) of section ninety-three of this Act so far as it relates to the effect of the release of official receivers; shall, so far as the same are applicable, apply to the case of an administration order under this section in like manner as to an order of adjudication under this Act, and subsection (1) of section thirty-five of this Act shall apply as if for the reference to an order of adjudication there were substituted a reference to an administration order under this section.

(6) In the administration of the property of the deceased debtor under an order of administration, the official receiver or trustee shall have regard to any claim by the legal personal representative of the deceased debtor to payment of the proper funeral and testamentary expenses incurred by him in and about the debtor's estate, and such claims shall be deemed a preferential debt under the order, and shall, notwithstanding anything to the contrary in the provisions of this Act relating to the priority of other debts, be payable in full, out of the debtor's estate, in priority to all other debts.

(7) If, on the administration of a deceased debtor's estate, any surplus remains in the hands of the official receiver or trustee, after payment in full of all the debts due from the debtor, together with the costs of the administration and interest as provided by this Act in case of bankruptcy, such surplus shall be paid over to the legal personal representative of the deceased debtor's estate, or dealt with in such other manner as may be prescribed.

(8) Notice to the legal personal representative of a deceased debtor of the presentation by a creditor of a petition under this section shall, in the event of an order for administration being made thereon, be deemed to be equivalent to notice of an act of bankruptcy, and after such notice no payment or transfer of property made by the legal personal representative shall operate as a discharge to him as between himself and the official receiver or trustee; save as aforesaid nothing in this section shall invalidate any payment made or any act or thing done in good faith by the legal personal representative before the date of the order for administration.

(9) A petition for the administration of the estate of a deceased debtor under this section may be presented by the legal personal representative of the debtor; and, where a petition is so presented by such a representative, this section shall apply subject to such modifications as may be prescribed by general rules made under subsection eleven of this section.

(10) Unless the context otherwise requires, "court," in this section, means the court within the jurisdiction of which the debtor resided or carried on business for the greater part of the six months immediately prior to his decease; "creditor" means one or more creditors qualified to present a bankruptcy petition as in this Act provided.

(11) General rules for carrying into effect the provisions of this section may be made in the same manner and to the like effect and extent as in bankruptcy.

Outstanding bankruptcies under earlier enactments.

131.—(1) The enactments set out in the Fourth Schedule to this Act, and re-enacted in the manner therein appearing, shall apply as respects debtors who have been adjudged bankrupt or whose affairs have been liquidated by arrangement under the Bankruptcy Act, 1869, or any previous Bankruptcy Act, and as respects proceedings under any such Act outstanding at the commencement of this Act.

(2) Save as aforesaid, nothing in this Act shall affect such proceedings as aforesaid, but they shall continue, and the provisions of the Bankruptcy Act, 1869, or any previous Bankruptcy Acts, and any rules, orders, and tables of fees made thereunder, which were applicable to the case immediately before the commencement of this Act, shall continue to apply thereto as if this Act had not been passed.

General Rules.

Power to make general rules.

132.—(1) The Lord Chancellor may, with the concurrence of the President of the Board of Trade, make general rules for carrying into effect the objects of this Act.

Provided that the general rules so made shall not extend the jurisdiction of the court.

(2) All general rules made under this section shall be laid before Parliament within three weeks after they are made if Parliament is then sitting, and, if Parliament is not then sitting, within three weeks after the beginning of the then next session of Parliament, and shall be judicially noticed, and shall have effect as if enacted by this Act.

Fees, Salaries, Expenditure, and Returns.

Fees and remuneration.

133.—(1) The Lord Chancellor may, with the sanction of the Treasury, prescribe a scale of fees and percentages to be charged for or in respect of proceedings under this Act; and the Treasury shall direct by whom and in what manner they are to be collected and accounted for, and to what account they shall be paid.

(2) The Board of Trade, with the concurrence of the Treasury, shall direct whether any and what remuneration is to be allowed to any officer of, or person attached to, the Board of Trade, performing any duties under this Act, and may vary, increase, or diminish such remuneration, as they may think fit.

Judicial salaries, &c.

134. The Lord Chancellor, with the concurrence of the Treasury, shall direct whether any and what remuneration is to be allowed to any person (other than an officer of the Board of Trade) performing any duties under this Act, and may vary, increase, or diminish such remuneration, as he may think fit.

Annual accounts of receipts and expenditure in respect of bankruptcy proceedings.

135.—(1) The Treasury shall annually cause to be prepared and laid before both Houses of Parliament an account for the year ending with the thirty-first day of March, showing the receipts and expenditure during that year in respect of bankruptcy proceedings, whether commenced under this or any previous Act, and the provisions of section twenty-eight of the Supreme Court of Judicature Act, 1875, shall apply to the account as if the account had been required by that section.

38 & 39 Vict. c. 77.

(2) The accounts of the Board of Trade, under this Act, shall be audited in such manner as the Treasury direct, and for the purpose of the account to be laid before Parliament the Board of Trade shall make such returns and give such information as the Treasury may direct.

Returns by bankruptcy officers.

136. The registrars and other officers of the courts acting in bankruptcy shall make to the Board of Trade such returns of the business of their respective courts and offices, at such times and in such manner and form as may be prescribed, and from such returns the Board of Trade shall cause books to be prepared which shall, under the regulations of the Board, be open for public information and searches.

The Board of Trade shall also cause a general annual report of all matters, judicial and financial, within this Act, to be prepared and laid before both Houses of Parliament.

Evidence.

Gazette to be evidence.

137.—(1) A copy of the London Gazette containing any notice inserted therein in pursuance of this Act, shall be evidence of the facts stated in the notice.

(2) The production of a copy of the London Gazette containing any notice of a receiving order, or of an order adjudging a debtor bankrupt, shall be conclusive evidence in all legal proceedings of the order having been duly made, and of its date.

Evidence of proceedings at meetings of creditors.

138.—(1) A minute of proceedings at a meeting of creditors under this Act, signed at the same or the next ensuing meeting, by a person describing himself as, or appearing to be, chairman of the meeting at which the minute is signed, shall be received in evidence without further proof.

(2) Until the contrary is proved, every meeting of creditors in respect of the proceedings whereof a minute has been so signed shall be deemed to have been duly convened and held, and all resolutions passed or proceedings had thereat to have been duly passed or had.

Evidence of proceedings in bankruptcy.

139. Any petition or copy of a petition in bankruptcy, any order or certificate or copy of an order or certificate made by any court having jurisdiction in bankruptcy, any instrument or copy of an instrument, affidavit, or document made or used in the course of any bankruptcy proceedings or other proceedings had under this Act, shall, if it appears to be sealed with the seal of any court having jurisdiction in bankruptcy, or purports to be signed by any judge thereof, or is certified as a true copy by any registrar thereof, be receivable in evidence in all legal proceedings whatever.

Swearing of affidavits.

140. Subject to general rules, any affidavit to be used in a bankruptcy court may be sworn before any person authorised to administer oaths in the High Court, or in the Court of Chancery of the county palatine of Lancaster, or before any registrar of a bankruptcy court, or before any officer of a bankruptcy court authorised in writing in that behalf by the judge of the court, or before a justice of the peace for the county or place where it is sworn, or in the case of a person residing in Scotland or in Ireland, before a judge ordinary, magistrate, or justice of the peace, or, in the case of a person who is out of the United Kingdom, before a magistrate or justice of the peace or other person qualified to administer oaths in the country where he resides (he being certified to be a magistrate or justice of the peace, or qualified as aforesaid, by a British minister or British consul, or by a notary public).

Death of debtor or witness.

141. In the case of the death of the debtor or his wife, or of a witness whose evidence has been received by any court in any proceeding under this Act, the deposition of the person so deceased, purporting to be sealed with the seal of the court, or a copy thereof purporting to be so sealed, shall be admitted as evidence of the matters therein deposed to.

Bankruptcy courts to have seals.

142. Every court having jurisdiction in bankruptcy under this Act shall have a seal describing the court in such manner as may be directed by order of the Lord Chancellor, and judicial notice shall be taken of the seal, and of the signature of the judge or registrar of any such court, in all legal proceedings.

Certificate of appointment of trustee.

143. A certificate of the Board of Trade that a person has been appointed trustee under this Act shall be conclusive evidence of his appointment.

Proceedings of Board of Trade.

144.—(1) All documents purporting to be orders or certificates made or issued by the Board of Trade, and to be sealed with the seal of the Board, or to be signed by a secretary or

assistant secretary of the Board, or any person authorised in that behalf by the President of the Board, shall be received in evidence, and deemed to be such orders or certificates without further proof unless the contrary is shown.

(2) A certificate signed by the President of the Board of Trade that any order made, certificate issued, or act done, is the order, certificate, or act of the Board of Trade shall be conclusive evidence of the fact so certified.

Miscellaneous.

Computation of time.

145.—(1) Where by this Act any limited time from or after any date or event is appointed or allowed for the doing of any act or the taking of any proceeding, then in the computation of that limited time the same shall be taken as exclusive of the day of that date or of the happening of that event, and as commencing at the beginning of the next following day; and the act or proceeding shall be done or taken at latest on the last day of that limited time as so computed, unless the last day is a Sunday, Christmas Day, Good Friday, or Monday or Tuesday in Easter Week, or a day appointed for public fast, humiliation, or thanksgiving, or a day on which the court does not sit, in which case any act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards which is not one of the days in this section specified.

(2) Where by this Act any act or proceeding is directed to be done or taken on a certain day, then, if that day happens to be one of the days in this section specified, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards which is not one of the days in this section specified.

Service of notices.

146. All notices and other documents for the service of which no special mode is directed may be sent by post to the last known address of the person to be served therewith.

Formal defect not to invalidate proceedings.

147.—(1) No proceeding in bankruptcy shall be invalidated by any formal defect or by any irregularity, unless the court before which an objection is made to the proceeding is of opinion that substantial injustice has been caused by the defect or irregularity, and that the injustice cannot be remedied by any order of that court.

(2) No defect or irregularity in the appointment or election of a receiver, trustee, or member of a committee of inspection shall vitiate any act done by him in good faith.

Exemption of deeds, &c. from stamp duty.

148. Every deed, conveyance, assignment, surrender, admission or other assurance relating solely to freehold, leasehold, copyhold or customary property, or to any mortgage charge or other incumbrance on, or any estate, right or interest in, any real or personal property which is part of the estate of any bankrupt, and which, after the execution of the deed, conveyance, assignment, surrender, admission or other assurance, either at

law or in equity, is or remains the estate of the bankrupt or of the trustee under the bankruptcy, and every power of attorney, proxy paper, writ, order, certificate, affidavit, bond or other instrument or writing relating solely to the property of any bankrupt, or to any proceeding under any bankruptcy, shall be exempt from stamp duty, except in respect of fees under this Act.

Acting of corporations, partners, &c.

149. For all or any of the purposes of this Act, a corporation may act by any of its officers authorised in that behalf under the seal of the corporation, a firm may act by any of its members, and a lunatic may act by his committee or curator bonis.

Construction of Acts mentioning commission of bankruptcy, &c.

150.—(1) Where in any Act, instrument, or proceeding, passed, executed, or taken before the commencement of this Act, mention is made of a commission of bankruptcy or fiat in bankruptcy, the same shall be construed, with reference to the proceedings under a bankruptcy petition, as if a commission of or a fiat in bankruptcy had been actually issued at the time of the presentation of such petition.

(2) Where by any Act or instrument reference is made to the Bankruptcy Act, 1869, or to any enactment repealed by this Act, that Act or instrument shall, unless the context otherwise requires, be construed and have effect as if this Act or the corresponding provision (if any) of this Act were therein referred to.

Certain provisions to bind Crown.

151. Save as provided in this Act, the provisions of this Act relating to the remedies against the property of a debtor, the priorities of debts, the effect of a composition or scheme of arrangement, and the effect of a discharge, shall bind the Crown.

Saving for existing rights of audience.

152. Nothing in this Act shall take away or affect any right of audience that any person may have had at the commencement of this Act.

Unclaimed Funds or Dividends.

Unclaimed and undistributed dividends or funds under this and former Acts.

153.—(1) Where the trustee, under any bankruptcy composition or scheme, pursuant to this Act or any enactment repealed by this Act, has under his control any unclaimed dividend which has remained unclaimed for more than six months, or where, after making a final dividend, he has in his hands or under his control any unclaimed or undistributed money arising from the property of the debtor, he shall forthwith pay it to the Bankruptcy Estates Account at the Bank of England. The Board of Trade shall furnish him with a certificate of receipt of the money so paid, which shall be an effectual discharge to him in respect thereof.

(2) Where any unclaimed or undistributed funds or dividends in the hands or under the control of any trustee or other person

empowered to collect, receive, or distribute any funds or dividends under any Act of Parliament mentioned in the Fifth Schedule to this Act, or any petition, resolution, deed or other proceeding under or in pursuance of any such Act, have remained or remain unclaimed or undistributed for six months after they became claimable or distributable, or in any other case for two years after the receipt thereof by such trustee or other person, it shall be the duty of such trustee or other person forthwith to pay them to the Bankruptcy Estates Account at the Bank of England. The Board of Trade shall furnish the trustee or other person with a certificate of receipt of the money so paid, which shall be an effectual discharge to him in respect thereof.

The Board of Trade may at any time order any such trustee or other person to submit to them an account verified by affidavit of the sums received and paid by him under or in pursuance of any such petition, resolution, deed, or other proceeding as aforesaid, and may direct and enforce an audit of the account.

The Board of Trade, with the concurrence of the Treasury, may from time to time appoint a person to collect and get in all such unclaimed or undistributed funds or dividends, and for the purposes of this section any court having jurisdiction in bankruptcy shall have and, at the instance of the person so appointed or of the Board of Trade, may exercise, all the powers conferred by this Act with respect to the discovery and realisation of the property of a debtor, and the provisions of Part I. of this Act with respect thereto shall, with any necessary modifications, apply to proceedings under this section.

(3) The provisions of this section shall not, except as expressly declared herein, deprive any person of any larger or other right or remedy to which he may be entitled against such trustee or other person.

(4) Any person claiming to be entitled to any moneys paid in to the Bankruptcy Estates Account, pursuant to this section, may apply to the Board of Trade for payment to him of the same, and the Board of Trade, if satisfied that the person claiming is entitled, shall make an order for the payment to such person of the sum due.

Any person dissatisfied with the decision of the Board of Trade in respect of his claim may appeal to the High Court.

PART VII.

BANKRUPTCY OFFENCES.

Fraudulent debtors.

154. Any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made shall in each of the cases following be guilty of a misdemeanour:—

(1) If he does not to the best of his knowledge and belief fully and truly discover to the trustee all his property, real and personal, and how and to whom and for what consideration and when he disposed of any part thereof, except such part as has been disposed of in

the ordinary way of his trade (if any) or laid out in the ordinary expense of his family, unless he proves that he had no intent to defraud :

(2) If he does not deliver up to the trustee, or as he directs, all such part of his real and personal property as is in his custody or under his control, and which he is required by law to deliver up, unless he proves that he had no intent to defraud :

(3) If he does not deliver up to the trustee, or as he directs, all books, documents, papers, and writings in his custody or under his control relating to his property or affairs, unless he proves that he had no intent to defraud :

(4) If, after the presentation of a bankruptcy petition by or against him, or within six months next before such presentation, he conceals any part of his property to the value of ten pounds or upwards, or conceals any debt due to or from him, unless he proves that he had no intent to defraud :

(5) If, after the presentation of a bankruptcy petition by or against him, or within six months next before such presentation, he fraudulently removes any part of his property to the value of ten pounds or upwards :

(6) If he makes any material omission in any statement relating to his affairs, unless he proves that he had no intent to defraud :

(7) If, knowing or believing that a false debt has been proved by any person under the bankruptcy, he fails for the period of a month to inform the trustee thereof :

(8) If, after the presentation of a bankruptcy petition by or against him, he prevents the production of any book, document, paper, or writing affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law :

(9) If, after the presentation of a bankruptcy petition by or against him, or within six months next before such presentation, he conceals, destroys, mutilates, or falsifies, or is privy to the concealment, destruction, mutilation or falsification of any book or document affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law :

(10) If, after the presentation of a bankruptcy petition by or against him, or within six months next before such presentation, he makes or is privy to the making of any false entry in any book or document affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law :

(11) If, after the presentation of a bankruptcy petition by or against him, or within six months next before such presentation, he fraudulently parts with, alters, or makes any omission in, or is privy to the fraudulently parting with, altering, or making any omission in, any document affecting or relating to his property or affairs:

(12) If, after the presentation of a bankruptcy petition by or against him, or at any meeting of his creditors within six months next before such presentation, he attempts to account for any part of his property by fictitious losses or expenses:

(13) If, within six months next before the presentation of a bankruptcy petition by or against him, or, in the case of a receiving order made under section one hundred and seven of this Act, before the date of the order, or after the presentation of a bankruptcy petition and before the making of a receiving order, he, by any false representation or other fraud, has obtained any property on credit and has not paid for the same:

(14) If, within six months next before the presentation of a bankruptcy petition by or against him, or, in the case of a receiving order made under section one hundred and seven of this Act, before the date of the order, or after the presentation of a bankruptcy petition and before the making of a receiving order, he obtains under the false pretence of carrying on business, and, if a trader, of dealing in the ordinary way of his trade, any property on credit and has not paid for the same, unless he proves that he had no intent to defraud:

(15) If, within six months next before the presentation of a bankruptcy petition by or against him, or, in the case of a receiving order made under section one hundred and seven of this Act, before the date of the order, or after the presentation of a bankruptcy petition and before the making of a receiving order, he pawns, pledges, or disposes of any property which he has obtained on credit and has not paid for, unless, in the case of a trader, such pawning, pledging, or disposing is in the ordinary way of his trade, and unless in any case he proves that he had no intent to defraud:

(16) If he is guilty of any false representation or other fraud for the purpose of obtaining the consent of his creditors or any of them to an agreement with reference to his affairs or to his bankruptcy.

For the purpose of this section, the expression "trustee" means the official receiver of the debtor's estate or trustee administering his estate for the benefit of his creditors.

Undischarged bankrupt obtaining credit.

155. Where an undischarged bankrupt—

(*a*) either alone or jointly with any other person obtains credit to the extent of ten pounds or upwards from any person without informing that person that he is an undischarged bankrupt; or

(*b*) engages in any trade or business under a name other than that under which he was adjudicated bankrupt without disclosing to all persons with whom he enters into any business transaction the name under which he was adjudicated bankrupt;

he shall be guilty of a misdemeanour.

Frauds by bankrupts, &c.

156. If any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made—

(*a*) in incurring any debt or liability has obtained credit under false pretences or by means of any other fraud;

(*b*) with intent to defraud his creditors or any of them, has made or caused to be made any gift or transfer of, or charge on, his property;

(*c*) with intent to defraud his creditors, has concealed or removed any part of his property since, or within two months before, the date of any unsatisfied judgment or order for payment of money obtained against him;

he shall be guilty of a misdemeanour.

Bankrupt guilty of gambling, &c.

157.—(1) Any person who has been adjudged bankrupt, or in respect of whose estate a receiving order has been made, shall be guilty of a misdemeanour, if, having been engaged in any trade or business, and having outstanding at the date of the receiving order any debts contracted in the course and for the purposes of such trade or business,—

(*a*) he has, within two years prior to the presentation of the bankruptcy petition, materially contributed to or increased the extent of his insolvency by gambling or by rash and hazardous speculations, and such gambling or speculations are unconnected with his trade or business; or

(*b*) he has, between the date of the presentation of the petition and the date of the receiving order, lost any part of his estate by such gambling or rash and hazardous speculations as aforesaid; or

(*c*) on being required by the Official Receiver at any time, or in the course of his public examination by the court, to account for the loss of any substantial part of his estate incurred within a period of a year next preceding the date of the presentation of the bankruptcy petition, or between that date and the date of the receiving order, he fails to give a satisfactory explanation of the manner in which such loss was incurred:

Provided that, in determining for the purposes of this section whether any speculations were rash and hazardous, the financial position of the accused person at the time when he entered into the speculations shall be taken into consideration.

(2) A prosecution shall not be instituted against any person under this section except by order of the court, nor where the receiving order in the bankruptcy is made within two years from the first day of April nineteen hundred and fourteen.

(3) Where a receiving order is made against a person under section one hundred and seven of this Act, this section shall apply as if for references to the presentation of a petition there were substituted references to the making of the receiving order.

Bankrupt failing to keep proper accounts.

158.—(1) If any person who has on any previous occasion been adjudged bankrupt or made a composition or arrangement with his creditors is adjudged bankrupt, or if a receiving order is made in respect of his estate, he shall be guilty of a misdemeanour, if, having during the whole or any part of the two years immediately preceding the date of the presentation of the bankruptcy petition been engaged in any trade or business, he has not kept proper books of account throughout those two years or such part thereof as aforesaid, and, if so engaged at the date of presentation of the petition, thereafter, whilst so engaged, up to the date of the receiving order, or has not preserved all books of account so kept:

Provided that a person who has not kept or has not preserved such books of account shall not be convicted of an offence under this section if his unsecured liabilities at the date of the receiving order did not exceed one hundred pounds, or if he proves that in the circumstances in which he traded or carried on business the omission was honest and excusable.

(2) A prosecution shall not be instituted against any person under this section except by order of the court, nor where the receiving order in the bankruptcy is made within two years from the first day of April nineteen hundred and fourteen.

(3) For the purposes of this section, a person shall be deemed not to have kept proper books of account if he has not kept such books or accounts as are necessary to exhibit or explain his transactions and financial position in his trade or business, including a book or books containing entries from day to day in sufficient detail of all cash received and cash paid, and, where the trade or business has involved dealings in goods, also accounts of all goods sold and purchased, and statements of annual stocktakings.

(4) Paragraphs (9), (10), and (11) of section one hundred and fifty-four of this Act (which relate to the destruction, mutilation, and falsification and other fraudulent dealing with books and documents), shall, in their application to such books as aforesaid, have effect as if "two years next before the presentation of the bankruptcy petition" were substituted for

the time mentioned in those paragraphs as the time prior to the presentation within which the acts or omissions specified in those paragraphs constitute an offence.

(5) Where a receiving order is made against a person under section one hundred and seven of this Act, this section shall apply as if for references to the presentation of a petition there were substituted references to the making of the receiving order.

Bankrupt absconding with property.

159. If any person who is adjudged bankrupt, or in respect of whose estate a receiving order has been made, after the presentation of a bankruptcy petition by or against him, or within six months before such presentation, quits England and takes with him, or attempts or makes preparation to quit England and take with him, any part of his property to the amount of twenty pounds or upwards, which ought by law to be divided amongst his creditors, he shall (unless he proves that he had no intent to defraud) be guilty of felony.

False claim, &c.

160. If any creditor, or any person claiming to be a creditor, in any bankruptcy proceedings, wilfully and with intent to defraud makes any false claim, or any proof, declaration or statement of account, which is untrue in any material particular, he shall be guilty of a misdemeanour, and shall on conviction on indictment be liable to imprisonment with or without hard labour for a term not exceeding one year.

Order by court for prosecution on report of trustee.

161. Where an official receiver or a trustee in a bankruptcy reports to any court exercising jurisdiction in bankruptcy that in his opinion a debtor who has been adjudged bankrupt or in respect of whose estate a receiving order has been made has been guilty of any offence under this Act or any enactment repealed by this Act, or where the court is satisfied upon the representation of any creditor or member of the committee of inspection that there is ground to believe that the debtor has been guilty of any such offence, the court shall, if it appears to the court that there is a reasonable probability that the debtor will be convicted, order that the debtor be prosecuted for such offence.

Provided that it shall not be obligatory on the court in the absence of any application by the official receiver for such an order to make an order under this section for the prosecution of an offence, unless it appears to the court that the circumstances are such as to render a prosecution desirable.

Criminal liability after discharge or composition.

162. Where a debtor has been guilty of any criminal offence, he shall not be exempt from being proceeded against therefor by reason that he has obtained his discharge or that a composition or scheme of arrangement has been accepted or approved.

Power for court to commit for trial.

163.—(1) Where there is, in the opinion of the court, ground to believe that the bankrupt or any other person has been guilty of any offence which is by statute made a misdemeanour in cases

of bankruptcy, the court may commit the bankrupt or such other person for trial.

(2) For the purpose of committing the bankrupt or such other person for trial, the court shall have all the powers of a stipendiary magistrate as to taking depositions, binding over witnesses to appear, admitting the accused to bail, or otherwise.

Nothing in this subsection shall be construed as derogating from the powers or jurisdiction of the High Court.

Trial and punishment of offences.

164.—(1) A person guilty of an offence declared to be a felony or a misdemeanour under this Act in respect of which no special penalty is imposed by this Act shall be liable, on conviction on indictment, to imprisonment with or without hard labour for a term not exceeding two years, or, on summary conviction, to imprisonment with or without hard labour for a term not exceeding six months.

Provided that the maximum term of imprisonment with or without hard labour which may be awarded on conviction on indictment of a misdemeanour under section one hundred and fifty-six of this Act shall be one year.

(2) Summary proceedings in respect of any such offence shall not be instituted after one year from the first discovery thereof either by the official receiver or by the trustee in the bankruptcy, or, in the case of proceedings instituted by a creditor, by the creditor, nor in any case shall they be instituted after three years from the commission of the offence.

22 & 23 Vict. c. 17.

(3) Every misdemeanour under this Act shall be deemed to be an offence under and subject to the provisions of the Vexatious Indictments Act, 1859, and any Act amending that Act, and when any person is charged with any such misdemeanour before a court of summary jurisdiction the court shall take into consideration any evidence adduced before them tending to show that the act charged was not committed with a guilty intent.

(4) In an indictment for an offence under this Act, it shall be sufficient to set forth the substance of the offence charged in the words of this Act specifying the offence, or as near thereto as circumstances admit, without alleging or setting forth any debt, act of bankruptcy, trading, adjudication, or any proceedings in, or order, warrant, or document of, any court acting under this Act or any Act repealed by this Act.

Public Prosecutor to act in certain cases.

165. Where the court orders the prosecution of any person for any offence under this Act or any enactment repealed by this Act, or for any offence arising out of or connected with any bankruptcy proceedings, it shall be the duty of the Director of Public Prosecutions to institute and carry on the prosecution :

Provided that, where the order of the court is made on the application of the official receiver and based on his report, the Board of Trade may themselves, or through the official receiver, institute the prosecution and carry on the proceedings, if or so long as those proceedings are conducted before a court of summary jurisdiction, unless in the course thereof circumstances

arise which, in the opinion of such court or of the Board, render it desirable that the remainder of the proceedings should be carried on by the Director of Public Prosecutions.

Evidence as to frauds by agents.

166. A statement or admission made by any person in any compulsory examination or deposition before any court on the hearing of any matter in bankruptcy shall not be admissible as evidence against that person in any proceeding in respect of any of the misdemeanours referred to in section eighty-five of the Larceny Act, 1861, (which section relates to frauds by agents, bankers and factors). 24 & 25 Vict. c. 96.

Part VIII.

General.

Interpretation.

Interpretation.

167. In this Act, unless the context otherwise requires,—

"The court" means the court having jurisdiction in bankruptcy under this Act;

"Affidavit" includes statutory declaration, affirmation, and attestation on honour;

"Available act of bankruptcy" means any act of bankruptcy available for a bankruptcy petition at the date of the presentation of the petition on which the receiving order is made;

"Debt provable in bankruptcy" or "provable debt" includes any debt or liability by this Act made provable in bankruptcy;

"Gazetted" means published in the London Gazette;

"General rules" include forms;

"Goods" includes all chattels personal;

"Local bank" means any bank in, or in the neighbourhood of, the bankruptcy district in which the proceedings are taken;

"Oath" includes affirmation, declaration, and attestation on honour;

"Ordinary resolution" means a resolution decided by a majority in value of the creditors present, personally or by proxy, at a meeting of creditors and voting on the resolution;

"Prescribed" means prescribed by general rules within the meaning of this Act;

"Property" includes money, goods, things in action, land, and every description of property, whether real or personal and whether situate in England or elsewhere; also obligations, easements, and every description of estate, interest, and profit, present or future, vested or contingent, arising out of or incident to property as above defined;

"Resolution" means ordinary resolution;

"Secured creditor" means a person holding a mortgage charge or lien on the property of the debtor, or any part thereof, as a security for a debt due to him from the debtor;

"Sheriff" includes any officer charged with the execution of a writ or other process;

"Special resolution" means a resolution decided by a majority in number and three-fourths in value of the creditors present, personally or by proxy, at a meeting of creditors and voting on the resolution;

"Trustee" means the trustee in bankruptcy of a debtor's estate.

Repeals.

Repeal of enactments and savings.

168.—(1) The Acts mentioned in the Sixth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

(2) This Act shall apply to proceedings under the Bankruptcy Acts, 1883 to 1913, pending at the commencement of this Act, as if commenced under this Act.

(3) Until revoked or altered under the powers of this Act, any fees prescribed and any general rules and orders made under the Bankruptcy Acts, 1883 to 1913, and the Bankruptcy (Discharge and Closure) Act, 1887, which are in force at the commencement of this Act, shall continue in force, and shall have effect as if made under this Act.

(4) Nothing in the repeals effected by this Act shall affect the powers or duties, tenure of office, terms of remuneration, or right to pension, of any officer appointed before the commencement of this Act.

(5) Nothing in this Act shall affect any provisions of the Bankruptcy Acts, 1883 to 1913, relating to disqualifications on account of bankruptcy to executions or to the administration of small estates in county courts which are left unrepealed by this Act.

Short title, extent, and commencement.

169.—(1) This Act may be cited as the Bankruptcy Act, 1914.

(2) This Act shall not, except so far as is expressly provided, extend to Scotland or Ireland.

(3) This Act shall come into operation on the first day of January nineteen hundred and fifteen.

SCHEDULES.

THE FIRST SCHEDULE.

Section 13.

Meetings of Creditors.

1. The first meeting of creditors shall be summoned for a day not later than fourteen days after the date of the receiving order, unless the court for any special reason deem it expedient that the meeting be summoned for a later day.

2. The official receiver shall summon the meeting by giving not less than six clear days notice of the time and place thereof in the London Gazette and in a local paper.

3. The official receiver shall also, as soon as practicable, send to each creditor mentioned in the debtor's statement of affairs, a notice of the time and place of the first meeting of creditors, accompanied by a summary of the debtor's statement of affairs, including the cause of his failure, and any observations thereon which the official receiver may think fit to make ; but the proceedings at the first meeting shall not be invalidated by reason of any such notice or summary not having been sent or received before the meeting.

4. The meeting shall be held at such place as is in the opinion of the official receiver most convenient for the majority of the creditors.

5. The official receiver or the trustee may at any time summon a meeting of creditors, and shall do so whenever so directed by the court, or so requested by a creditor in accordance with the provisions of this Act.

6. Meetings subsequent to the first meeting shall be summoned by sending notice of the time and place thereof to each creditor at the address given in his proof, or if he has not proved, at the address given in the debtor's statement of affairs, or at such other address as may be known to the person summoning the meeting.

7. The official receiver, or some person nominated by him shall be the chairman at the first meeting. The chairman at subsequent meetings shall be such person as the meeting by resolution appoint.

8. A person shall not be entitled to vote as a creditor at the first or any other meeting of creditors unless he has duly proved a debt provable in bankruptcy to be due to him from the debtor, and the proof has been duly lodged before the time appointed for the meeting.

9. A creditor shall not vote at any such meeting in respect of any unliquidated or contingent debt, or any debt the value of which is not ascertained.

10. For the purpose of voting, a secured creditor shall, unless he surrenders his security, state in his proof the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to vote only in respect of the balance (if any) due to him, after deducting the value of his security. If he votes in respect of his whole debt he shall be deemed to have surrendered his security unless the court on application is satisfied that the omission to value the security has arisen from inadvertence.

11. A creditor shall not vote in respect of any debt on or secured by a current bill of exchange or promissory note held by him, unless he is willing to treat the liability to him thereon of every person who is liable thereon antecedently to the debtor, and against whom a receiving order has not been made, as a security in his hands, and to estimate the value thereof, and for the purposes of voting, but not for the purposes of dividend, to deduct it from his proof.

12. It shall be competent to the trustee or to the official receiver, within twenty-eight days after a proof estimating the value of a security as aforesaid has been made use of in voting at any meeting, to require the creditor to give up the security for the benefit of the creditors generally on payment of the value so estimated, with an addition thereto of twenty per centum: Provided that where a creditor has put a value on such security, he may, at any time before he has been required to give up such security as aforesaid, correct such valuation by a new proof, and deduct such new value from his debt, but in that case such addition of twenty per centum shall not be made if the trustee requires the security to be given up.

13. If a receiving order is made against one partner of a firm, any creditor to whom that partner is indebted jointly with the other partners of the firm, or any of them, may prove his debt for the purpose of voting at any meeting of creditors, and shall be entitled to vote thereat.

14. The chairman of a meeting shall have power to admit or reject a proof for the purpose of voting, but his decision shall be subject to appeal to the court. If he is in doubt whether the proof of a creditor should be admitted or rejected he shall mark the proof as objected to and shall allow the creditor to vote, subject to the vote being declared invalid in the event of the objection being sustained.

15. A creditor may vote either in person or by proxy.

16. Every instrument of proxy shall be in the prescribed form, and shall be issued by the official receiver of the debtor's estate, or by some other official receiver, or, after the appointment of a trustee, by the trustee, and every insertion therein shall be in the handwriting of the person giving the proxy, or of any manager or clerk, or other person in his regular employment, or of any commissioner to administer oaths in the Supreme Court.

17. General and special forms of proxy shall be sent to the creditors, together with a notice summoning a meeting of creditors, and neither the name nor the description of the official receiver, or of any other person, shall be printed or inserted in the body of any instrument of proxy before it is so sent.

18. A creditor may give a general proxy to his manager or clerk, or any other person in his regular employment. In such case the instrument of proxy shall state the relation in which the person to act thereunder stands to the creditor.

19. A creditor may give a special proxy to any person to vote at any specified meeting or adjournment thereof on all or any of the following matters:—

(*a*) For or against any specific proposal for a composition or scheme of arrangement;

(*b*) For or against the appointment of any specified person as trustee at a specified rate of remuneration, or as member of the committee of inspection, or for or against the continuance in office of any specified person as trustee or member of a committee of inspection;

(*c*) On all questions relating to any matter other than those above referred to, arising at any specified meeting or adjournment thereof.

20. A proxy shall not be used unless it is deposited with the official receiver or trustee before the meeting at which it is to be used.

21. Where it appears to the satisfaction of the court that any solicitation has been used by or on behalf of a trustee or receiver in obtaining proxies, or in procuring the trusteeship or receivership, except by the direction of a meeting of creditors, the court shall have power, if it thinks fit, to order that no remuneration shall be allowed to the person by whom or on whose behalf such solicitation may have been exercised, notwithstanding any resolution of the committee of inspection or of the creditors to the contrary.

22. A creditor may appoint the official receiver of the debtor's estate to act in manner prescribed as his general or special proxy.

23. The chairman of a meeting may, with the consent of the meeting, adjourn the meeting from time to time and from place to place.

24. A meeting shall not be competent to act for any purpose, except the election of a chairman, the proving of debts, and the adjournment of the meeting, unless there are present, or represented thereat, at least three creditors, or all the creditors if their number does not exceed three.

25. If within half an hour from the time appointed for the meeting a quorum of creditors is not present or represented, the meeting shall be adjourned to the same day in the following week at the same time and place, or to such other day as the chairman may appoint, not being less than seven nor more than twenty-one days.

26. The chairman of every meeting shall cause minutes of the proceedings at the meeting to be drawn up and fairly entered in a book kept for that purpose, and the minutes shall be signed by him or by the chairman of the next ensuing meeting.

27. No person acting either under a general or special proxy shall vote in favour of any resolution which would directly or indirectly place himself, his partner or employer, in a position to receive any remuneration out of the estate of the debtor otherwise than as a creditor rateably with the other creditors of the debtor: Provided that where any person holds special proxies to vote for the appointment of himself as trustee he may use the said proxies and vote accordingly.

28. The vote of the trustee, or of his partner, clerk, solicitor, or solicitor's clerk, either as creditor or as proxy for a creditor, shall not be reckoned in the majority required for passing any resolution affecting the remuneration or conduct of the trustee.

THE SECOND SCHEDULE.

Section 32.

Proof of Debts.

Proof in ordinary cases.

1. Every creditor shall prove his debt as soon as may be after the making of a receiving order.

2. A debt may be proved by delivering or sending through the post in a prepaid letter to the official receiver, or, if a trustee has been appointed, to the trustee, an affidavit verifying the debt.

3. The affidavit may be made by the creditor himself, or by some person authorised by or on behalf of the creditor. If made by a person so authorised it shall state his authority and means of knowledge.

4. The affidavit shall contain or refer to a statement of account showing the particulars of the debt, and shall specify the vouchers, if any, by which the same can be substantiated. The official receiver or trustee may at any time call for the production of the vouchers.

5. The affidavit shall state whether the creditor is or is not a secured creditor.

6. A creditor shall bear the cost of proving his debt, unless the court otherwise specially orders.

7. Every creditor who has lodged a proof shall be entitled to see and examine the proofs of other creditors before the first meeting, and at all reasonable times.

8. A creditor proving his debt shall deduct therefrom all trade discounts, but he shall not be compelled to deduct any discount, not exceeding five per centum on the net amount of his claim, which he may have agreed to allow for payment in cash.

9. Formal proof of debts in respect of contributions payable under the National Insurance Act, 1911, to which priority is given by this Act, shall not be required except in cases where it may otherwise be provided by rules under this Act.

1 & 2 Geo. 5. c. 55.

Proof by secured Creditors.

10. If a secured creditor realises his security, he may prove for the balance due to him, after deducting the net amount realised.

11. If a secured creditor surrenders his security to the official receiver or trustee for the general benefit of the creditors, he may prove for his whole debt.

12. If a secured creditor does not either realise or surrender his security, he shall, before ranking for dividend, state in his proof the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to receive a dividend only in respect of the balance due to him after deducting the value so assessed.

13.—(*a*) Where a security is so valued the trustee may at any time redeem it on payment to the creditor of the assessed value.

(*b*) If the trustee is dissatisfied with the value at which a security is assessed, he may require that the property comprised in any security so valued be offered for sale at such times and on such terms and conditions as may be agreed on between the creditor and the trustee, or as, in default of such agreement, the court may direct. If the sale be by public auction the creditor, or the trustee on behalf of the estate, may bid or purchase.

(*c*) Provided that the creditor may at any time, by notice in writing, require the trustee to elect whether he will or will not exercise his power of redeeming the security or requiring it to be realised, and if the trustee does not, within six months after receiving the notice, signify in writing to the creditor his election to exercise the power, he shall not be entitled to exercise it; and the equity of redemption, or any other interest in the property comprised in the security which is vested in the trustee, shall vest in the creditor, and the amount of his debt shall be reduced by the amount at which the security has been valued.

14. Where a creditor has so valued his security, he may at any time amend the valuation and proof on showing to the satisfaction of the trustee, or the court, that the valuation and proof were made bonâ fide on a mistaken estimate or that the security has diminished or increased in

value since its previous valuation ; but every such amendment shall be made at the cost of the creditor, and upon such terms as the court shall order, unless the trustee shall allow the amendment without application to the court.

15. Where a valuation has been amended in accordance with the foregoing rule, the creditor shall forthwith repay any surplus dividend which he may have received in excess of that to which he would have been entitled on the amended valuation, or, as the case may be, shall be entitled to be paid out of any money, for the time being available for dividend, any dividend or share of dividend, which he may have failed to receive by reason of the inaccuracy of the original valuation, before that money is made applicable to the payment of any future dividend, but he shall not be entitled to disturb the distribution of any dividend declared before the date of the amendment.

16. If a creditor after having valued his security subsequently realises it, or if it is realised under the provisions of rule 13, the net amount realised shall be substituted for the amount of any valuation previously made by the creditor, and shall be treated in all respects as an amended valuation made by the creditor.

17. If a secured creditor does not comply with the foregoing rules he shall be excluded from all share in any dividend.

18. Subject to the provisions of rule 13, a creditor shall in no case receive more than twenty shillings in the pound, and interest as provided by this Act.

Proof in respect of Distinct Contracts.

19. If a debtor was, at the date of the receiving order, liable in respect of distinct contracts as a member of two or more distinct firms, or as a sole contractor, and also as member of a firm, the circumstances that the firms are in whole or in part composed of the same individuals, or that the sole contractor is also one of the joint contractors, shall not prevent proof in respect of the contracts, against the properties respectively liable on the contracts.

Periodical Payments.

20. When any rent or other payment falls due at stated periods, and the receiving order is made at any time other than one of those periods, the person entitled to the rent or payment may prove for a proportionate part thereof up to the date of the order as if the rent or payment grew due from day to day.

Interest.

21. On any debt or sum certain, payable at a certain time or otherwise, whereon interest is not reserved or agreed for, and which is overdue at the date of the receiving order and provable in bankruptcy, the creditor may prove for interest at a rate not exceeding four per centum per annum to the date of the order from the time when the debt or sum was payable, if the debt or sum is payable by virtue of a written instrument at a certain time, and if payable otherwise, then from the time when a demand in writing has been made giving the debtor notice that interest will be claimed from the date of the demand until the time of payment.

Debt payable at a future time.

22. A creditor may prove for a debt not payable when the debtor committed an act of bankruptcy as if it were payable presently, and may receive dividends equally with the other creditors, deducting only thereout a rebate of interest at the rate of five pounds per centum per annum

computed from the declaration of a dividend to the time when the debt would have become payable, according to the terms on which it was contracted.

Admission or Rejection of Proofs.

23. The trustee shall examine every proof and the grounds of the debt, and in writing admit or reject it, in whole or in part, or require further evidence in support of it. If he rejects a proof he shall state in writing to the creditor the grounds of the rejection.

24. If the trustee thinks that a proof has been improperly admitted, the court may, on the application of the trustee, after notice to the creditor who made the proof, expunge the proof or reduce its amount.

25. If a creditor is dissatisfied with the decision of the trustee in respect of a proof, the court may, on the application of the creditor, reverse or vary the decision.

26. The court may also expunge or reduce a proof upon the application of a creditor if the trustee declines to interfere in the matter, or, in the case of a composition or scheme, upon the application of the debtor.

27. For the purpose of any of his duties in relation to proofs, the trustee may administer oaths and take affidavits.

28. The official receiver, before the appointment of a trustee, shall have all the powers of a trustee with respect to the examination, admission, and rejection of proofs, and any act or decision of his in relation thereto shall be subject to the like appeal.

Section 99.

THE THIRD SCHEDULE.

LIST OF METROPOLITAN COUNTY COURTS.

The Bloomsbury County Court of Middlesex.
The Bow County Court of Middlesex.
The Brompton County Court of Middlesex.
The Clerkenwell County Court of Middlesex.
The Lambeth County Court of Surrey.
The Marylebone County Court of Middlesex.
The Shoreditch County Court of Middlesex.
The Southwark County Court of Surrey.
The Westminster County Court of Middlesex.
The Whitechapel County Court of Middlesex.

Section 131.

THE FOURTH SCHEDULE.

RE-ENACTMENT OF PROVISIONS RELATING TO PRE-1884 BANKRUPTCIES.

46 & 47 Vict. c. 52. s. 153 (4) & (5).

(4) On the occurrence at any time after the passing of this Act of any vacancy in the office of any person who has under subsection (4) of section one hundred and fifty-three of the Bankruptcy Act, 1883, been appointed to perform the remaining duties of any of the officers mentioned

in subsection (2) of that section, the Board of Trade may, with the approval of the Treasury, appoint a fit person to fill the vacancy, and all estates, rights and effects, which at the time of the vacancy are by virtue of the said section vested in the officer whose office is so vacated, shall by virtue of such appointment, become vested in the person so appointed, provided that any person so appointed shall be an officer of the Board of Trade, and shall in all respects act under the directions of the Board of Trade.

(5) The Board of Trade may, with the approval of the Lord Chancellor, from time to time direct that any duties or functions not of a judicial character relating to any bankruptcies, insolvencies, or other proceedings under any Act prior to the Bankruptcy Act, 1869, which were at the time of the passing of the Bankruptcy Act, 1883, performed or exercised by registrars of county courts, shall devolve on and be performed by the official receiver, and thereupon all powers and authorities of the registrar, and all estates, rights and effects vested in the registrar shall become vested in the official receiver.

In every liquidation by arrangement under the Bankruptcy Act, 1869, which was pending at the commencement of the Bankruptcy Act, 1883, if at any time there is no trustee acting under the liquidation by reason of death or for any other cause, such of the official receivers of bankrupts' estates as is appointed by the Board of Trade for that purpose shall become and be the trustee in the liquidation, and the property of the liquidating debtor shall pass to and vest in him accordingly; but this provision shall not prejudice the right of the creditors in the liquidation to appoint a new trustee in the manner directed by the Bankruptcy Act, 1869, or the rules thereunder; and on such appointment the property of the liquidating debtor shall pass to and vest in the new trustee. s. 159.

The provisions of this Act with respect to the duties and responsibilities of and accounting by a trustee in a bankruptcy under this Act shall apply, as nearly as may be, to a trustee acting under the provisions of this section.

Where a bankruptcy or liquidation by arrangement under the Bankruptcy Act, 1869, has been or is hereafter closed, any property of the bankrupt or liquidating debtor which vested in the trustee and has not been realised or distributed shall vest in such person as may be appointed by the Board of Trade for that purpose and he shall thereupon proceed to get in, realise, and distribute the property in like manner and with and subject to the like powers and obligations, as far as applicable, as if the bankruptcy or liquidation were continuing and he were acting as trustee thereunder. s. 160.

In every bankruptcy under the Bankruptcy Act, 1869, pending at the commencement of the Bankruptcy Act, 1883, where a registrar of the London Bankruptcy Court or of any county court would hereafter but for this enactment become the trustee under the bankruptcy, such of the official receivers of bankrupts' estates as may be appointed by the Board of Trade for that purpose shall be the trustee in the place of the registrar, and the property of the bankrupt shall pass to and vest in the Official Receiver accordingly. s. 161.

(1) A debtor who has been adjudged bankrupt, or whose affairs have been liquidated by arrangement under the Bankruptcy Act, 1869, or any previous Bankruptcy Act, and who has not obtained his discharge, may apply to the court for an order of discharge, and thereupon the court shall appoint a day for hearing the application in open court. 50 & 51 Vict. c. 66. s. 2.

(2) Notice of the appointment by the court of the day for hearing the application for discharge shall, twenty-one days at least before the day so appointed, be sent by the debtor to each creditor who has proved in the bankruptcy or liquidation, or to those of them whose addresses appear in

the debtor's statement of affairs or are known to the debtor, and shall also, fourteen days at least before the day so appointed, be published in the "London Gazette."

(3) On the hearing of the application the court may hear any creditor, and may put such questions to the debtor and receive such evidence as the court thinks fit, and, on being satisfied that the notice required by this section has been duly sent and published, may either grant or refuse the order of discharge or suspend the operation of the order for a specified time, or grant the order of discharge subject to any conditions with respect to any earnings or income which may afterwards become due to the debtor, or with respect to his after-acquired property :

Provided that the court shall refuse the discharge in all cases where the court is satisfied by evidence that the debtor has committed any misdemeanour under Part II. of the Debtors Act, 1869, or any amendment thereof.

(4) The Court may, as one of the conditions referred to in this section, require the debtor to consent to judgment being entered against him in the court having jurisdiction in the bankruptcy or liquidation by the official receiver of the court, or the trustee or assignee in the bankruptcy or liquidation, for any balance of the debts provable under the bankruptcy or liquidation which is not satisfied at the date of the discharge, or for such sum as the court shall think fit, but in such case execution shall not be issued on the judgment without the leave of the court, which leave may be given on proof that the debtor has since his discharge acquired property or income available for payment of his debts.

(5) A discharge granted under this section shall have the same effect as if it had been granted in pursuance of the Act under which the debtor was adjudged bankrupt or liquidated his affairs by arrangement.

s. 4. (1) In each of the following cases, that is to say—

(*a*) Any insolvency under any Act for the relief of insolvent debtors ;

(*b*) Any commission, fiat, or adjudication in bankruptcy within the jurisdiction of the old London Bankruptcy Court, under any Act prior to the Bankruptcy Act, 1869 ;

(*c*) Any administration by way of arrangement pursuant to an Act of the session held in the seventh and eighth years of the reign of Her Majesty Queen Victoria, chapter seventy, entitled "An Act for facilitating arrangements between "Debtors and Creditors," or pursuant to the provisions of the Bankrupt Law Consolidation Act, 1849, or the hundred and ninety-second section of the Bankruptcy Act, 1861, within the jurisdiction of the old London Bankruptcy Court ;

in which the estate is now vested in a creditors' assignee, or trustee, or inspector, either alone or jointly with the official assignee, the court may at any time, upon the application of any creditor and upon being satisfied that there is good ground for removing such creditors' assignee, trustee, or inspector, or in any other case in which it shall appear to the court just or expedient, appoint the official assignee or any person appointed under the one hundred and fifty-third section of the Bankruptcy Act, 1883, to perform the remaining duties of the office of official assignee to be sole assignee, or trustee, or inspector of the estate in the place of such creditors' assignee, trustee, or inspector, as the case may be.

(2) Such appointment shall operate as a removal of the creditors' assignee, trustee, or inspector of the estate, and shall vest the whole of the property of the bankrupt or debtor in the official assignee or person appointed by the Board of Trade, as aforesaid, alone ; and all estate,

rights, powers, and duties of such former creditors' assignee, trustee, or inspector shall thereupon vest in and devolve upon the official assignee or person appointed by the Board of Trade, as aforesaid, alone.

s. 6. (1) Where on the close of a bankruptcy or liquidation, or on the release of a trustee, a registrar or official receiver or official assignee is or is acting as trustee, and where under section one hundred and fifty-nine, section one hundred and sixty, or section one hundred and sixty-one of the Bankruptcy Act, 1883, either as originally enacted or as re-enacted in this schedule, an official receiver is or is acting as trustee, no liability shall attach to him personally in respect of any act done, or default made, or liability incurred by any prior trustee.

(2) Section ninety-three of this Act (which section relates to the release of a trustee) shall, with the exception of subsection five thereof, apply to an official receiver or an official assignee when he is or is acting as trustee, and when an official receiver or official assignee has been released under that section, he shall continue to act as trustee for any subsequent purposes of the administration of the debtors' estate, but no liability shall attach to him personally by reason of his so continuing in respect of any act done, default made, or liability incurred, before his release.

s. 7. All books and papers in the custody of an official receiver or official assignee or of the Acting Comptroller in Bankruptcy, and relating to any bankruptcy under the Bankruptcy Act, 1869, may, on the expiration of one year after the close of the bankruptcy, be disposed of in accordance with rules made under section one of the Public Records Office Act, 1877, and that section shall apply accordingly.

s. 8. (1) General rules for carrying into effect the objects of the foregoing sections of the Bankruptcy (Discharge and Closure) Act, 1887, as re-enacted in this Schedule, may from time to time be made, revoked, or altered by the same authority, and subject to the same provisions as general rules carrying into effect the objects of this Act.

(2) There shall be paid in respect of proceedings under such foregoing sections such fees as the Lord Chancellor may, with the sanction of the Treasury, from time to time prescribe, and the Treasury may direct by whom, and in what manner the same are to be collected and accounted for, and to what account they are to be paid.

THE FIFTH SCHEDULE.

Section 153.

Statutes relating to Unclaimed Dividends.

Session and Chapter.	Title of Act.
7 & 8 Vict. c. 70 - -	An Act for facilitating arrangements between debtors and creditors.
12 & 13 Vict. c. 106 -	The Bankruptcy Law Consolidation Act, 1849.
24 & 25 Vict. c. 134 -	The Bankruptcy Act, 1861.
32 & 33 Vict. c. 71 -	The Bankruptcy Act, 1869.

Section 168.

THE SIXTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
32 & 33 Vict. c. 62.	The Debtors Act, 1869	Sections eleven, twelve, fourteen, fifteen, and sixteen.
45 & 46 Vict. c. 75.	The Married Women's Property Act, 1882.	Subsection (5) of section one, and section three so far as they relate to England and Wales.
46 & 47 Vict. c. 52.	The Bankruptcy Act, 1883.	The whole Act, except sections one, two, thirty-two, thirty-three, thirty-four, one hundred and twenty-two, one hundred and forty-five, and one hundred and forty-six, and except sections forty-two and one hundred and twenty-seven so far as they relate to cases of orders under section one hundred and twenty-two of the said Act.
47 & 48 Vict. c. 9.	The Bankruptcy Appeals (County Courts) Act, 1884.	The whole Act.
48 & 49 Vict. c. 47.	The Bankruptcy (Office Accommodation) Act, 1885.	The whole Act.
49 & 50 Vict. c. 12.	The Bankruptcy (Office Accommodation) Act, 1886.	The whole Act.
50 & 51 Vict. c. 66.	The Bankruptcy (Discharge and Closure) Act, 1887.	The whole Act.
51 & 52 Vict. c. 62.	The Preferential Payments in Bankruptcy Act, 1888.	The whole Act so far as unrepealed.
53 & 54 Vict. c. 71.	The Bankruptcy Act, 1890.	The whole Act, except sections nine, twelve, and twenty-five, and subsection one of section thirty-one, and except section twenty-eight so far as it relates to cases of orders under section one hundred and twenty-two of the Bankruptcy Act, 1883.

Session and Chapter.	Short Title.	Extent of Repeal.
54 & 55 Vict. c. 21.	The Savings Banks Act, 1891.	Section thirteen.
3 & 4 Geo. 5. c. 34.	The Bankruptcy Act, 1913.	Part I. (except sections fifteen and twenty-seven, and except subsection (1) of section eighteen so far as it relates to cases of orders under section one hundred and twenty-two of the Bankruptcy Act, 1883), and in section forty-two the words from "and Part I. of this Act" to "the Bankruptcy Acts, 1883 to 1913," and subsection (3), Schedule I., and (except so far as it amends section twenty-five of the Bankruptcy Act, 1890) Schedule II.

CHAPTER 60.

An Act to provide for raising Money for the present War.

[28th August 1914.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies granted to Your Majesty in this session of Parliament, have resolved that money be raised in manner provided by this Act; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to raise money for the purposes of war.

1.—(1) Any money required for raising the supply granted to His Majesty for the service of the year ending the thirty-first day of March nineteen hundred and fifteen, may be raised in such manner as the Treasury think fit, and for that purpose they may create and issue any securities by means of which any public loan has been raised or may be raised or such other securities bearing such rate of interest and subject to such conditions as to repayment, redemption, or otherwise as they think fit.

(2) The principal and interest of any sums so raised (including any annuities created for the purpose) and any sums required for defraying any expenses incurred in connexion with the raising of those sums shall be charged on the Consolidated Fund of the United Kingdom or the growing produce thereof.

(3) The powers given to the Treasury under this Act shall be in addition to, and not in derogation of, any other powers of the Treasury for the time being to borrow.

Short title.

2. This Act may be cited as the War Loan Act, 1914.

CHAPTER 61.

An Act to enable His Majesty, by Order in Council, to make regulations with respect to Special Constables appointed during the present war.

[28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to make regulations with respect to special constables.
1 & 2 Will. 4. c. 41.
45 & 46 Vict. c. 50.

1.—(1) His Majesty may, by Order in Council, make regulations with respect to the appointment and position of special constables appointed during the present war under the Special Constables Act, 1831, or under section one hundred and ninety-six of the Municipal Corporations Act, 1882, and may, by those regulations, provide—

(*a*) that the power to authorise the nomination and appointment of special constables under the Special Constables Act, 1831, may be exercised although a tumult, riot, or felony has not taken place or is not immediately apprehended; and

(*b*) that any special constables to which the regulations apply shall, in the execution of their duty, act under such direction as may be specified in the regulations; and

(*c*) for the application to special constables to which the regulations apply of any of the provisions of the Police Acts, 1839 to 1910 (including those relating to the grant of allowances or gratuities to constables injured, and to the dependents of constables killed, in the execution of their duty), subject to such modifications as may be specified in the regulations; and

(*d*) for giving validity and effect to the appointment of special constables, or any other action taken with respect to special constables, since the commencement of the present war, but before the regulations are made; and

(*e*) for such supplemental and ancillary matters as may be necessary or expedient for the purpose of giving full effect to the regulations.

(2) His Majesty may, by Order in Council, revoke, alter, or amend any Order in Council made under this section as occasion requires.

(3) In the application of this Act to Scotland the Burgh Police (Scotland) Act, 1892, so far as relating to special constables, the corresponding provisions of any local Act, and the Special Constables (Scotland) Act, 1914, shall be substituted for the Special Constables Act, 1831, and section one hundred and ninety-six of the Municipal Corporations Act, 1882; and the Police (Scotland) Act, 1857, the Police (Scotland) Act, 1890, the Burgh Police (Scotland) Act, 1892, and any Acts amending the same shall be substituted for the Police Acts, 1839 to 1910. 55 & 56 Vict. c. 55. 4 & 5 Geo. 5. c. 53. 20 & 21 Vict. c. 72. 53 & 54 Vict. c. 67.

(4) In the application of this Act to Ireland the Special Constables (Ireland) Act, 1832, shall be substituted for the Special Constables Act, 1831; section fourteen of the Dublin Justices Act, 1824, shall be substituted for section one hundred and ninety-six of the Municipal Corporations Act, 1882; and the Acts relating to the Royal Irish Constabulary and Dublin Metropolitan Police, or either of those forces, shall be substituted for the Police Acts, 1839 to 1910. 2 & 3 Will. 4. c. 108. 5 Geo. 4. c. 102.

2. This Act may be cited as the Special Constables Act, 1914. Short title.

CHAPTER 62.

An Act to enable His Majesty, by Order in Council, to extend to the Isle of Man Acts passed in connection with the present War. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) His Majesty may, by Order in Council, extend to the Isle of Man any Act which, in the opinion of His Majesty, was passed for the purpose of meeting any emergency created by the present war, and does not extend to the Isle of Man; and any Act so extended shall have effect accordingly, subject to such adaptations as may be made by the order for the purpose of making the Act applicable to the Isle of Man. Power to extend certain Acts to the Isle of Man.

(2) Any Act so extended by Order in Council shall, if the order so provides, be deemed to have taken effect in the Isle of Man at the same time as it took effect in the United Kingdom.

2. This Act may be cited as the Isle of Man (War Legislation) Act, 1914. Short title.

CHAPTER 63.

An Act to amend the Defence of the Realm Act, 1914. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of power to make regulations. 4 & 5 Geo. 5. c. 29.

1. The Defence of the Realm Act, 1914, shall have effect as if—

(*a*) at the end of paragraph (*a*) of section one thereof the following words were inserted, "or to prevent the "spread of reports likely to cause disaffection or "alarm";

(*b*) at the end of paragraph (*b*) of section one thereof there were added the following words, "or of any area "which may be proclaimed by the Admiralty or "Army Council to be an area which it is necessary "to safeguard in the interests of the training or "concentration of any of His Majesty's Forces";

(*c*) at the end of section one there were inserted the following words, "and may by such regulations also "provide for the suspension of any restrictions on "the acquisition or user of land, or the exercise of "the power of making byelaws, or any other power "under the Defence Acts, 1842 to 1875, or the "Military Lands Acts, 1891 to 1903."

Short title.

2. This Act may be cited as the Defence of the Realm (No. 2) Act, 1914.

CHAPTER 64.

An Act to extend and amend section eight of the Customs and Inland Revenue Act, 1879. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of 42 & 43 Vict. c. 21. s. 8.

1. Section eight of the Customs and Inland Revenue Act, 1879, (which enables the exportation of certain articles to be prohibited) shall have effect, whilst a state of war in which His Majesty is engaged exists, as if, in addition to the articles therein mentioned, there were included all other articles of every description.

2. Any proclamation or Order in Council made under the said section as so amended may, whilst a state of war exists, be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade. Power to vary proclamation and Order in Council.

3. This Act may be cited as the Customs (Exportation Prohibition) Act, 1914. Short title.

CHAPTER 65.

An Act to give Powers in connection with the present War to obtain information as to Stocks of Articles of Commerce, and for enabling Possession to be taken of any such Articles unreasonably withheld.

[28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) For the purpose of obtaining information as to the quantity in the United Kingdom or in transit to the United Kingdom of any article of commerce, the Board of Trade may, by notice served by registered post or otherwise on any person, require him to make a return to the Board, within such time as may be specified in the notice, giving such particulars of any article of commerce of which he is the owner as may be required by the notice. Power to require returns, &c.

(2) For the purpose of testing the accuracy of any return made to the Board under this section, or of obtaining information in case of a failure to make a return, any officer of the Board authorised in that behalf by the Board may enter any premises on which he has reason to believe that there are kept or stored any articles which have been or were required to be included in the return, and of which the person making or required to make the return is or was the owner, and may carry out such inspections of, and examinations on, the premises as the officer may consider necessary for testing the accuracy of the return or for obtaining such information.

(3) If any person—

(*a*) wilfully refuses or without lawful excuse neglects to make a return under this Act to the best of his knowledge and belief; or

(*b*) wilfully makes or causes to be made any false return; or

(*c*) obstructs or impedes an officer of the Board in the exercise of any of his powers under this Act; or

(*d*) refuses to answer or wilfully gives a false answer to any question necessary for obtaining the information required to be furnished under this Act;

he shall be liable on summary conviction to a fine not exceeding one hundred pounds, or, if the court is of opinion that the offence was committed wilfully, to imprisonment with or without hard labour for a period not exceeding three months.

(4) No individual return or part of a return made under this Act, and no information obtained under this Act, shall be published or disclosed except for the purposes of a prosecution under this Act.

Power to take possession of articles unreasonably withheld.

2.—(1) If from any such return as aforesaid, or from any other source of information, the Board of Trade are of opinion that any article of commerce is being unreasonably withheld from the market, they may, if so authorised by His Majesty's proclamation (made generally or as respects any particular kind of article of commerce) and in manner provided by the proclamation, take possession of any supplies of the article, paying the owners of the supplies such price as may, in default of agreement, be decided to be reasonable, having regard to all the circumstances of the case, by the arbitration of a judge of the High Court selected by the Lord Chief Justice of England in England; by a judge of the Court of Session selected by the Lord President of the Court of Session in Scotland; and by a judge of the High Court of Ireland selected by the Lord Chief Justice of Ireland in Ireland.

(2) Nothing in this Act shall be construed as preventing the Board of Trade exercising their powers under this section without having first obtained, or endeavoured to obtain, returns under this Act.

Interdepartmental arrangements.

3. The Board of Trade may make arrangements with any other Government Department for the exercise by that Department on behalf of the Board of Trade of the powers of the Board under this Act with respect to any particular article of commerce, and in such case the department and the officers thereof shall, as respects such article, have and exercise the same powers as are by this Act conferred on the Board of Trade and the officers of that Board.

Short title, construction, repeal, and duration.

4.—(1) This Act may be cited as the Articles of Commerce (Returns, &c.) Act, 1914.

(2) For the purposes of this Act, "owner," in relation to any article of commerce, includes any person who, as factor or otherwise, has power to sell the article.

4 & 5 Geo. 5. c. 51.

(3) The Unreasonable Withholding of Foodstuffs Act, 1914, is hereby repealed.

(4) This Act shall have effect only while a state of war exists between His Majesty and any foreign power, and for a period of six months thereafter.

CHAPTER 66.

An Act to enable Certificated Teachers to reckon Service in connection with the present War as recorded Service for the purpose of the Acts relating to Elementary School Teachers' Superannuation. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Service in the war to be equivalent for superannuation purposes to service as a teacher.

1.—(1) Service by a certificated teacher in any of the naval or military forces of the Crown in the present war, or any service by such a teacher in connection with naval or military operations in that war which the Board of Education consider may properly be treated in the same manner as actual naval or military service, may be recorded for the purposes of the Elementary School Teachers (Superannuation) Acts, 1898 to 1912, in the same manner as, and as equivalent to, service in the capacity of a certificated teacher in a public elementary school.

(2) The Board of Education may reckon as a period of service for the purposes of this Act any period during which a teacher, though not actually serving, is, as a result of his service, prevented or hindered from procuring work as a teacher owing to injury, illness, or any other cause.

(3) Contributions in respect of any such service to the Deferred Annuity Fund may, notwithstanding anything in the Elementary School Teachers (Superannuation) Acts, 1898 to 1912, or any rules made thereunder, be received by the Board of Education at any time within six months after the end of the present war, or such later date as the Board of Education may by order determine.

Application to the Isle of Man and Jersey. 2 & 3 Geo. 5. c. 12.

2. Section three of the Elementary School Teachers (Superannuation) Act, 1912, relating to the Isle of Man and the Island of Jersey (except the proviso thereto), shall, with the necessary modifications, apply to this Act as it applies to that Act.

Short title.

3. This Act may be cited as the Elementary School Teachers (War Service Superannuation) Act, 1914.

CHAPTER 67.

An Act to authorise an amendment of the Superannuation Scheme for Teachers in Scotland for the purpose of enabling service in connection with the present War to be reckoned as recorded service under the Scheme.

[28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Service by a teacher in the war to be recorded as service for superannuation.

8 Edw. 7. c. 63.

1.—(1) Service for the purposes of the teachers' superannuation scheme made and issued under the Education (Scotland) Act, 1908 (herein-after referred to as the scheme), shall include service in any of the naval or military forces of the Crown in the present war or any service in connection with naval or military operations in that war which the Scotch Education Department (herein-after referred to as the Department) consider may properly be treated in the same manner as actual naval or military service.

(2) For the purposes of the scheme the Department may further reckon as service any period during which a teacher, though not actually serving as aforesaid, is, as a result of such service, prevented or hindered from doing or procuring work owing to injury, illness, or any other cause.

(3) For the purposes of the scheme the Department may record such service as aforesaid.

(4) For the purposes of the scheme, as regards any period of service as aforesaid, salary shall mean such sum as the Department may determine to be the equivalent of the salary in respect of which deductions from grants payable to managers would have been made in terms of the scheme had the teacher continued his ordinary employment as teacher.

Extent of Act.

2. This Act shall extend to Scotland only.

Short title and citation.

3. This Act may be cited as the Education (Scotland) (War Service Superannuation) Act, 1914; and this Act and the Education (Scotland) Acts, 1872 to 1913, and any other Act of this session relating to education in Scotland, may be cited as the Education (Scotland) Acts, 1872 to 1914.

CHAPTER 68.

An Act to remove doubts as to the interpretation of the Education (Scotland) Act, 1908, in regard to the provision of meals for school children. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of school board as to feeding of school children. 8 Edw. 7. c. 63.

1. The powers and duties of a school board under the Education (Scotland) Act, 1908, shall, as regards the provision of food, be exerciseable in respect of children attending a school within their district both on days when the school meets and on other days.

Short title.

2. This Act may be cited as the Education (Scotland) (Provision of Meals) Act, 1914.

CHAPTER 69.

An Act to amend the provisions of the Acts relating to the Police in Scotland during the continuance of the present War with respect to age at date of appointment to a police force. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Age of persons appointed to police forces. 53 & 54 Vict. c. 67.

1. Notwithstanding anything contained in the Police (Scotland) Act, 1890, or any other Act, the limit of age of persons transferred or appointed to any police force in Scotland during the continuance of the present war shall be such as may from time to time be prescribed or approved by the Secretary for Scotland.

Short title and extent.

2. This Act may be cited as the Police (Scotland) (Limit of Age) Act, 1914, and shall apply to Scotland only.

CHAPTER 70.

An Act to extend to the Naval Forces the provisions of the Army Act relating to the Billeting, and Impressment of Carriages, &c. in cases of emergency.

[28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power in cases of emergency to billet naval officers and men and to impress carriages, &c. for naval purposes.

1.—(1) Where a proclamation has been issued by His Majesty calling out all or any of the men of the naval reserves in case of war or emergency, the Admiralty may, by order distinctly stating that a case of emergency exists, authorise any commander-in-chief or flag officer, whose flag is flying at any naval port or station in the United Kingdom, to issue a billeting requisition or a requisition of emergency.

(2) Where—

(*a*) an order authorising the issue of a billeting requisition has been so made, the provisions of section 108A of the Army Act (which relates to the billeting of officers and soldiers of His Majesty's military forces and their horses in cases of emergency), and the other provisions of the Army Act relating to billeting thereby applied, shall extend to the billeting of officers and men of His Majesty's naval forces borne on the books of any of His Majesty's ships in commission when employed on detached service in case of war or emergency; and

(*b*) an order authorising the issue of a requisition of emergency has been so made, the provisions of section one hundred and fifteen of the Army Act (which relates to the impressment of carriages and other things in cases of emergency), and the other provisions of the Army Act relating to the impressment of carriages and other things thereby applied, shall extend to the impressment of carriages, animals, vessels, aircraft, food, forage, and stores required for the purposes of such naval forces as aforesaid;

subject to this modification, that the punishment of an offence under section thirty or section thirty-one of the Army Act as so applied shall be dismissal from His Majesty's service with disgrace, or such other punishment inferior in degree as is mentioned in section fifty-two of the Naval Discipline Act, and to such other modifications and exceptions necessary to adapt

the said provisions to the naval forces as the Admiralty may by regulations prescribe.

2. This Act may be cited as the Naval Billeting, &c. Act, 1914. Short title.

CHAPTER 71.

An Act to extend the Housing (No. 2) Act, 1914, to Ireland. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The Housing (No. 2) Act, 1914, shall extend to Ireland subject to the following modifications, namely, any reference to the Board of Agriculture and Fisheries or to the Local Government Board shall be construed as a reference to the Local Government Board for Ireland. Extension of Housing (No. 2) Act, 1914, to Ireland. 4 & 5 Geo. 5. c. 52.

(2) Subsection (3) of section three of the Housing (No. 2) Act, 1914, is hereby repealed.

2. This Act may be cited as the Housing (No. 2) (Amendment) Act, 1914. Short title.

CHAPTER 72.

An Act to amend the Currency and Bank Notes Act, 1914. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The power of the Treasury to call in currency notes under subsection (4) of section one of the Currency and Bank Notes Act, 1914, shall be extended so as to include a power to call in currency notes, on exchanging the notes so called in, for other notes of the same face value issued under that Act. Power to call in notes for the purpose of exchange for other notes. 1 & 5 Geo. 5. c. 14.

2. The Treasury may, if they think fit, instead of issuing any notes to any person, give to that person a certificate entitling him to the issue, on demand from the Treasury, of the notes mentioned in the certificate; and the notes covered by the certificate shall, for the purposes of section two of the Currency and Bank Notes Act, 1914, be deemed to be notes issued to that person. Certificates covering issue of notes.

3. This Act may be cited as the Currency and Bank Notes (Amendment) Act, 1914. Short title.

CHAPTER 73.

An Act to amend the Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914. [28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of powers to make temporary rules. 4 & 5 Geo. 5. c. 27.

1. The Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914, shall have effect, and shall be deemed always to have had effect, subject to the following amendments, that is to say:—

(*a*) In section one, for the words "any patent or licence "granted to, and the registration of any trade mark "the proprietor whereof is, a subject of any State at "war with His Majesty, and any proceedings on any "application made by any such person under either "of the said Acts," there shall be substituted the following words: "any patent or licence the person "entitled to the benefit of which is the subject of "any State at war with His Majesty; for avoiding "or suspending the registration, and all or any rights "conferred by the registration, of any design or trade "mark the proprietor whereof is a subject as afore-"said; for avoiding or suspending any application "made by any such person under either of the said "Acts; for enabling the Board to grant, in favour of "persons other than such persons as aforesaid, on "such terms and conditions, and either for the whole "term of the patent or registration or for such less "period, as the Board may think fit, licences to "make, use, exercise, or vend, patented inventions "and registered designs so liable to avoidance or "suspension as aforesaid":

(*b*) At the end of the same section the following subsection shall be added:—

"(4) This Act shall apply to any person resident and carrying on business in the territory of a State at war with His Majesty as if he was a subject of that State; and the expression 'subject of any State at war with His Majesty' shall, with reference to a company, include any company the business whereof is managed or controlled by such subjects, or is carried on wholly or mainly for the benefit or on behalf of such subjects, notwithstanding that the company may be registered within His Majesty's dominions; and, where a patent has

been granted to any person in respect of an invention declared in the application or any specification to have been communicated to him by some other person, that other person shall, for the purposes of this Act, be deemed to be the person entitled to the benefit of the patent unless the contrary is proved."

Short title.

2. This Act may be cited as the Patents, Designs, and Trade Marks Temporary Rules (Amendment) Act, 1914; and the Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914, and this Act may be cited as the Patents, Designs, and Trade Marks (Temporary Rules) Acts, 1914.

CHAPTER 74.

An Act to amend the Law relating to the Adjustment of Financial Relations between Local Government Areas in Scotland on the alteration of the Boundaries thereof.

[28th August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of law as to adjustments on alteration of local government boundaries. 52 & 53 Vict. c. 50. 57 & 58 Vict. c. 58.

1.—(1) On any adjustment under section fifty or section fifty-one of the Local Government (Scotland) Act, 1889, or section forty-six of the Local Government (Scotland) Act, 1894, provision shall be made for the payment to any authority of such sum as seems equitable, in accordance with the rules contained in the schedule to this Act, in respect of any increase of burden which will properly be thrown on the ratepayers of the area of that authority as a consequence of any alteration of boundaries.

(2) This section shall apply to any adjustment consequent upon an alteration of boundaries effected after the passing of this Act made (otherwise than by agreement) under any of the said sections, whether as originally enacted or as applied by any other Act, or by any order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act, 1899. 62 & 63 Vict. c. 47.

Provisions of Act to be in addition to existing provisions.

2. The provisions of this Act shall not derogate from the provisions in force at the passing of this Act relating to the adjustment of debt.

Short title.

3. This Act may be cited as the Local Government (Adjustments) (Scotland) Act, 1914.

SCHEDULE.

RULES FOR DETERMINING THE SUM TO BE PAID IN RESPECT OF INCREASE OF BURDEN ON RATEPAYERS.

1. Regard shall be had to—

(*a*) The difference, if any, between the burden on the ratepayers which will properly be incurred by the authority of an area in respect of which an alteration of boundaries has taken place in meeting the cost of executing any of their powers and duties, and the burden on the ratepayers which would properly have been incurred by the authority in meeting such cost, had no alteration of boundaries taken place: provided that the loss of rateable area as such shall not of itself be held to be an increase of burden;

(*b*) The length of time during which any increase of burden may be expected to continue.

2. The sum payable to any authority in respect of any increase of burden shall not exceed, or, if payable by instalments or by way of annuity, the capitalised value of the instalments or annuity shall not exceed, the average annual increase of burden multiplied by fifteen.

CHAPTER 75.

An Act to authorise the regulation and restriction of the slaughter of animals used for food. [31st August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to restrict slaughter.

1. The Board of Agriculture and Fisheries may, for the purpose of maintaining a sufficient breeding stock, by Order regulate and restrict the slaughter in England and Wales, either generally or in any particular area, of animals used for human food, and may revoke, extend, or vary any Order so made, but any Order shall cease to operate at the expiration of one year from the passing of this Act except in relation to proceedings for any offence committed before such expiration.

Application to Scotland and Ireland.

2. This Act shall apply to Scotland and Ireland with the substitution for the Board of Agriculture and Fisheries of the Board of Agriculture for Scotland and the Department of Agriculture and Technical Instruction for Ireland respectively.

Offences.

3. If any person acts in contravention of, or fails to comply with, any provision of an Order made under this Act he shall be liable upon summary conviction to a fine not exceeding twenty

pounds; or, if the offence is committed with respect to more than four animals, to a fine not exceeding five pounds for each animal.

4. This Act may be cited as the Slaughter of Animals Act, 1914. Short title.

CHAPTER 76.

An Act to extend and vary as respects the present War the relief from Death Duties given under section fourteen of the Finance Act, 1900. [31st August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Section fourteen of the Finance Act, 1900 (which relates to the remission of death duties in case of persons killed in war), shall have effect as respects the present war as if it applied to property passing to lineal ancestors as well as to property passing to the widow or lineal descendants, and as if the amount of the duty to be remitted or repaid under that section were, instead of the amount therein mentioned, the following amounts:— Extension of remission of death duties in case of persons killed in the present war. 63 & 64 Vict. c. 7.

(*a*) Where the value for the purpose of estate duty of the property passing to the widow, lineal descendants, or lineal ancestors does not exceed five thousand pounds, the whole of the death duties leviable in respect of that property; and

(*b*) Where the said value exceeds five thousand pounds—

(i) in respect of the first five thousand pounds, the whole of the death duties; and

(ii) so much of the duties leviable in respect of the remainder as exceeds the sum which, if accumulated at compound interest at the rate of three per centum per annum from the date of death with half-yearly rests would, at the expiration of the period of the normal expectation of life of a person of the age of the deceased at the time of death (calculated in accordance with the Tables of Mortality of Government Life Annuitants, 1912), amount to the whole of the duties so leviable.

(2) The benefits of the relief given by this section as respects the first five thousand pounds shall be apportioned rateably among the several persons who would otherwise bear the duties remitted or repaid according to the amounts which they would so bear and without regard to their respective rights of priority.

4 & 5 Geo. 5. c 10.

(3) Where the relief in respect of estate duty afforded to the widow, lineal descendants, or lineal ancestors by section fifteen of the Finance Act, 1914, would be greater than that afforded to them in respect of estate duty by this section, the relief in respect of estate duty shall be that under the said section fifteen and not that under this section, but in other cases the relief afforded by the said section fifteen shall not apply to any estate duty to which this section applies.

Remission of estate duty in respect of property passing more than once owing to deaths caused by the war.

2.—(1) Where the Commissioners of Inland Revenue are satisfied that estate duty has become payable on any property passing on the death of any person to which section one of this Act applies, and that subsequently estate duty has again become payable on the same property or any part thereof passing on the death of some other person to which section one of this Act applies, the whole of the estate duty payable on such subsequent death in respect of the property so passing shall be remitted, or, in case the duty has been paid, repaid, and the property shall not be aggregated with any other property passing on such subsequent death for the purpose of determining the rate of estate duty.

(2) This section shall apply whether or not on any such death any property passes to the widow or lineal descendants or lineal ancestors of the deceased.

Short title.

3. This Act may be cited as the Death Duties (Killed in War) Act, 1914.

CHAPTER 77.

An Act to enable orders to be made in connection with the present war for restricting the sale or consumption of intoxicating liquor. [31st August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Restriction of the sale or consumption of intoxicating liquor.

1.—(1) The licensing justices for any licensing district may, if they think fit, upon the recommendation of the chief officer of police that it is desirable for the maintenance of order or the suppression of drunkenness in any area, by order direct that the sale or consumption of intoxicating liquor on the premises of any persons holding any retailers' licence in the area, and the supply or consumption of intoxicating liquor in any registered club in the area, shall be suspended while the order is in operation, during such hours and subject to such conditions or exceptions (if any) as may be specified in the order:

Provided that, if any such order suspends the sale, supply, or consumption of intoxicating liquor at an hour earlier than nine at night, the order shall not have effect until approved by the Secretary of State.

(2) If any person acts in contravention of, or fails to comply with, any order under this section he shall be liable on summary conviction in respect of each offence to a fine not exceeding fifty pounds. If any person feels aggrieved by a conviction under this section he may appeal therefrom to quarter sessions in accordance with the Summary Jurisdiction Acts.

(3) The licensing justices shall have power to make an order under this section at their general annual licensing meeting or at any special sessions held by them for the purpose of their duties under the Licensing (Consolidation) Act, 1910, or at any meeting specially called for the purpose under this Act. 10 Edw. 7. & 1 Geo. 5. c. 24.

The clerk to the licensing justices shall specially call such a meeting if an application in writing is made to him for the purpose either by any two of their number or by the chief officer of police for the district.

(4) In the application of this section to the county of London the committee of the compensation authority appointed under section six of the Licensing (Consolidation) Act, 1910, shall be substituted for the licensing justices.

Interpretation, application, short title, and duration. 10 Edw. 7. c. 8.

2.—(1) In this Act the expression "retailers' licence" means any of the retailers' licences specified in the First Schedule to the Finance (1909–10) Act, 1910, and the expression "chief officer of police"—

(*a*) with respect to the city of London, means the Commissioner of the City Police; and

(*b*) elsewhere in England, has the same meaning as in the Police Act, 1890. 53 & 54 Vict c. 45.

(2) In the application of this Act to Scotland, the Secretary for Scotland shall be substituted for the Secretary of State, and the licensing court shall be substituted for the licensing justices, and the general half-yearly meeting of the court, or any adjournment thereof, shall be substituted for the general annual licensing meeting; "sheriff-depute" shall be substituted for "chief officer of police"; the reference to an appeal to quarter sessions shall not apply; "summary conviction" means summary conviction in the sheriff court; "intoxicating liquor" means exciseable liquor, and "retailers' licence" means certificate as defined in Part VII. of the Licensing (Scotland) Act, 1903. 3 Edw. 7. c. 25.

(3) In the application of this Act to Ireland the Lord Lieutenant shall be substituted for the Secretary of State, and the expression "licensing district" means, as respects the police district of Dublin metropolis, that district, and elsewhere in Ireland the petty sessions district. The expression "chief officer of police" means, as respects the police district of Dublin metropolis, either of the commissioners of police for that district,

and elsewhere in Ireland a district inspector of the Royal Irish Constabulary, and the expression "licensing justices" means, as respects the police district of Dublin metropolis, the Recorder of the city of Dublin, and, as respects any other licensing district, two or more justices at petty sessions.

(4) This Act may be cited as the Intoxicating Liquor (Temporary Restriction) Act, 1914.

(5) This Act shall remain in force during the continuance of the present war, and for a period of one month after the close thereof.

CHAPTER 78.

An Act to give, in connexion with the present War, further powers to Courts in relation to the remedies for the recovery of money, and in relation to other similar matters. [31st August 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power of courts to defer execution, &c.

1.—(1) From and after the passing of this Act no person shall—

(*a*) proceed to execution on, or otherwise to the enforcement of, any judgment or order of any court (whether entered or made before or after the passing of this Act) for the payment or recovery of a sum of money to which this subsection applies, except after such application to such court and such notice as may be provided for by rules or directions under this Act ; or

(*b*) levy any distress, take, resume, or enter into possession of any property, exercise any right of re-entry, foreclose, realise any security (except by way of sale by a mortgagee in possession), forfeit any deposit, or enforce the lapse of any policy of insurance to which this subsection applies, for the purpose of enforcing the payment or recovery of any sum of money to which this subsection applies, or, in default of the payment or recovery of any such sum of money, except after such application to such court and such notice as may be provided for by rules or directions under this Act.

This subsection shall not apply to any sum of money (other than rent not being rent at or exceeding fifty pounds per annum) due and payable in pursuance of a contract made after the

beginning of the fourth day of August nineteen hundred and fourteen.

This subsection applies to life or endowment policies for an amount not exceeding twenty-five pounds, or payments equivalent thereto, the premiums in respect of which are payable at not longer than monthly intervals, and have been paid for at least the two years preceding the fourth day of August nineteen hundred and fourteen.

(2) If, on any such application, the court to which the application is made is of opinion that time should be given to the person liable to make the payment on the ground that he is unable immediately to make the payment by reason of circumstances attributable, directly or indirectly, to the present war, the court may, in its absolute discretion, after considering all the circumstances of the case and the position of all the parties, by order, stay execution or defer the operation of any such remedies as aforesaid, for such time and subject to such conditions as the court thinks fit.

(3) Where a bankruptcy petition has been presented against any debtor, and the debtor proves to the satisfaction of the court having jurisdiction in bankruptcy that his inability to pay his debts is due to circumstances attributable, directly or indirectly, to the present war, the court may, in its absolute discretion, after considering all the circumstances of the case and the position of all the parties, at any time stay the proceedings under the petition for such time and subject to such conditions as the court thinks fit.

(4) This Act shall apply to all proceedings for the recovery of possession of tenements under the Small Tenements Recovery Act, 1838, as if they were in all cases proceedings for the payment or recovery of a sum of money due and payable on account of rent. 1 & 2 Vict. c. 74.

(5) The Lord Chancellor may make such rules and give such directions as he thinks fit for the purpose of giving full effect to this Act, and may, by those rules or directions, provide for any proceedings for the purposes of this Act being conducted, so far as desirable, in private and for the remission of any fees.

(6) The powers given under this Act shall be in addition to, and not in derogation of, any other powers of any court.

(7) Nothing in this Act shall affect any right or power of pawnbrokers to deal with pledges, or give any power to stay execution or defer the operation of any remedies of a creditor in the case of a sum of money payable by, or recoverable from, the subject of a Sovereign or State at war with His Majesty.

(8) Any stay of execution or of other proceedings, and any postponement of the operation of the remedies of a creditor, which has been granted or ordered by any court since the commencement of the present war and before the passing of this

Act, shall be as valid as if this Act had been in operation when the stay or postponement was granted or ordered.

Short title, application, and duration.

2.—(1) This Act may be cited as the Courts (Emergency Powers) Act, 1914.

(2) In the application of this Act to Scotland the Court of Session shall be substituted for the Lord Chancellor; "Act of Sederunt" shall be substituted for "rules"; "a petition for sequestration" shall be substituted for "a bankruptcy petition"; "diligence" shall be substituted for "execution"; and "decree" shall be substituted for "judgment or order," and shall be deemed to include any warrant authorising diligence; "creditor in a heritable security" shall be substituted for "mortgagee"; and "proceedings in removings and ejections in the case of "subjects let at a rent not exceeding twenty-one pounds" shall be substituted for "proceedings for the recovery of possession of "tenements under the Small Tenements Recovery Act, 1838."

(3) In the application of this Act to Ireland the Lord Chancellor of Ireland shall be substituted for the Lord Chancellor.

(4) His Majesty may, by Order in Council, at any time determine the operation of this Act, or provide that this Act shall have effect subject to such limitations as may be contained in the Order; but, subject to the operation of any such Order in Council, this Act shall have effect during the continuance of the present war, and for a period of six months thereafter.

CHAPTER 79.

An Act to provide for the exercise of Prize Jurisdiction by certain British Courts in Egypt, Zanzibar, and Cyprus, in respect of the present War.

[18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Prize Courts in Egypt, Zanzibar, and Cyprus.

1. If His Majesty is pleased to confer jurisdiction in matters of prize on any of the following courts, that is to say:—

(*a*) His Britannic Majesty's Supreme Court for the Dominions of the Sublime Ottoman Porte in Egypt;

(*b*) His Britannic Majesty's Court for Zanzibar in Zanzibar;

(*c*) The Supreme Court of Cyprus in Cyprus;

the Court shall, in respect of the present war, have, under the Naval Prize Courts Acts, 1864 to 1914, the jurisdiction thereby conferred on a Vice-Admiralty Prize Court, and those Acts and

any Order in Council made thereunder shall apply accordingly, subject to such modifications (if any) as to His Majesty in Council may appear expedient or necessary.

2. This Act may be cited as the Prize Courts (Egypt, Zanzibar, and Cyprus) Act, 1914. Short title.

CHAPTER 80.

An Act to amend the Police Reservists (Allowances) Act, 1914, and to extend the provisions of that Act and certain other enactments relating to police reservists to certain constables not being reservists.

[18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The following subsection shall be substituted for subsection (2) of section one of the Police Reservists (Allowances) Act, 1914:— Amendment of s. 1 (2) of 4 & 5 Geo. 5. c. 34.

(2) If the man dies or is disabled whilst employed on naval or military service the police authority shall have power to grant to his widow and children or to him pensions and allowances equal to one-half the amount payable out of naval or military funds in pursuance of any Royal Warrant, so however that the total amount receivable from the police authority when added to the amount payable from such funds as aforesaid shall not in any case exceed the maximum amount which could have been awarded under the Police Act, 1890, as amended by any subsequent enactment, if the injury had been received by the man in the execution of his duty as a constable without his own default and the injury had not been accidental. 53 & 54 Vict. c. 45.

2.—(1) If, with the consent of the chief officer of police of the force to which he belongs, a constable who has been a petty officer or non-commissioned officer re-enters or has re-entered the navy, or re-enlists or has re-enlisted in the regular forces, for the purposes of the present war, the Police Reservists (Allowances) Act, 1914, as amended by this Act, subsection (5) of section four of the Police Act, 1890, and section four of the Police (Superannuation) Act, 1906, shall, subject to the necessary adaptations, apply to him in like manner as they apply to a constable who, being a man belonging Application to constables who re-enlist, &c. of certain enactments relating to police reservists. 6 Edw. 7. c. 7.

to the naval reserves or the army reserve, has been called out for service during war or any emergency or, as the case may be, on permanent service.

(2) A police authority may, if they think fit, by order extend the privileges conferred by this section to any constable who, for the purposes of the present war, enters or enlists, or has entered or enlisted, in any of His Majesty's naval or military forces, if the police authority are satisfied, after consultation with the Admiralty or Army Council, that the constable possesses qualifications not possessed by ordinary recruits for rendering special service in the navy or army, and thereupon this section, subject to the necessary adaptations, shall apply to the constable.

53 & 54 Vict. c. 67. 10 Edw. 7. & 1 Geo. 5. c. 10.

(3) In the application of this Act to Scotland, references to subsection (5) of section four of the Police (Scotland) Act, 1890, and to section nine of the Police (Scotland) Act (1890) Amendment Act, 1910, shall be substituted for the references to subsection (5) of section four of the Police Act, 1890, and to section four of the Police (Superannuation) Act, 1906, respectively.

Special provisions as to City Police.

3. For the purposes of the present war subsection (5) of section four of the Police Act, 1890, and section four of the Police (Superannuation) Act, 1906 (both as originally enacted and as applied by this Act), shall apply to constables of the City Police Force as if that force were a police force within the meaning of the Police Act, 1890.

Short title and construction.

4. This Act shall be cited as the Police Constables (Naval and Military Service) Act, 1914, and shall be construed as one with the Police Reservists (Allowances) Act, 1914.

CHAPTER 81.

An Act to amend section forty-six of the National Insurance Act, 1911, as respects certain officers, warrant officers, and soldiers. [18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of section 46 of 1 & 2 Geo. 5. c. 55.

1. Section forty-six of the National Insurance Act, 1911, shall apply, and shall be deemed always to have applied, to soldiers specially enlisted for the purposes of the present war, and to all persons who, being previously insured, serve during the present war as commissioned or warrant officers of the naval reserves, or officers of the reserve or of the territorial force, or

are granted temporary commissions in the regular forces during the continuance of the present war, as it applies to men of the territorial forces called out on embodiment.

2. This Act may be cited as the National Insurance (Navy and Army) Act, 1914. Short title.

CHAPTER 82.

An Act to make provision in connection with the present war with respect to Bills of Exchange payable outside the British Islands. [18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Without prejudice to the operation of subsection (1) of section forty-six of the Bills of Exchange Act, 1882, delay in the presentment for payment of a bill of exchange, where the proper place for payment is outside the British Islands, is excused if the delay is, or has been, due either directly or indirectly to circumstances arising out of the present war, or to the impracticability, owing to similar circumstances, of transmitting the bill to the place of payment with reasonable safety. Delay in presentment of a bill for payment due to war. 45 & 46 Vict. c. 61.

2. Where, in any action or proceeding upon a bill of exchange payable outside the British Islands, it is shown to the court that the bill has been lost and that the loss can reasonably be presumed to be due to circumstances attributable directly or indirectly to the present war, the court may allow proof of the bill to be given by means of a copy thereof certified by a notary public, or by means of such other evidence as the court think reasonable under the circumstances: Provided that such indemnity be given against the claims of other persons as the court may require. Provision as to bills of exchange lost owing to war.

3. His Majesty may, by Order in Council, at any time determine the operation of this Act, or provide that this Act shall have effect subject to such limitations as may be contained in the Order; but, subject to the operation of any such Order in Council, this Act shall have effect during the continuance of the present war and for a period of six months thereafter. Duration.

4. This Act may be cited as the Bills of Exchange Act, 1914. Short title.

CHAPTER 83.

An Act to enable the Army Council to fix the mode of payment of Military Pensions. [18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Mode of payment of pensions.

1. Notwithstanding anything in any Act, Order, or Royal Warrant to the contrary, pensions payable in respect of military service shall be issued in advance at such intervals (not exceeding three months) as the Army Council may from time to time by order direct:

Provided that this section shall not apply in the case of pensions granted before the passing of this Act, and that an Order of the Army Council under this section may in any case provide that, where a soldier who has enlisted before the passing of this Act dies whilst in receipt of a pension, a sum not exceeding the amount of his pension for three months may be paid to his personal representatives.

Short title.

2. This Act may be cited as the Army Pensions Act, 1914.

CHAPTER 84.

An Act to make provision with respect to Constables of the Royal Irish Constabulary and Dublin Metropolitan Police who are Reservists or join the Naval or Military Forces. [18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Naval or military service of Irish Police Reservists.

1.—(1) Where a constable of the Royal Irish Constabulary or Dublin Metropolitan Police has, in pursuance of a Royal proclamation, been called into actual service as a member of any Royal Naval Reserve force, or been called out for permanent service as a member of the Army Reserve, on his return to the police force his subsequent pay in that force, and any pension, allowance, or gratuity granted after his return to him or his dependents under the Acts relating to that force, may, if he Lord Lieutenant so directs, be calculated in like manner as if his service under the proclamation had been service in the police force.

46 & 47 Vict. c. 14.

(2) The provisions of the Constabulary and Police (Ireland) Act, 1883, with respect to constables of the Royal Irish Constabulary and Dublin Metropolitan Police who belong to the

Army Reserve shall extend to constables of those police forces who belong to any Royal Naval Reserve force, with the substitution of "required for training or called into actual service" for "called out for training or for permanent service."

(3) His Majesty may, by Order in Council, extend to constables of the Royal Irish Constabulary or Dublin Metropolitan Police all or any of the provisions of the Police Reservists (Allowances) Act, 1914, or the Police Constables (Naval and Military Service) Act, 1914, with such adaptations and modifications as appear to His Majesty to be necessary or expedient. 4 & 5 Geo. 5. c. 34. 4 & 5 Geo. 5. c. 80.

2. This Act may be cited as the Irish Police Constables (Naval and Military Service) Act, 1914. Short title.

CHAPTER 85.

An Act to extend the time within which proceedings may be taken for the recovery of Rates.

[18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Section eleven of the Summary Jurisdiction Act, 1848, which limits the time within which proceedings may be commenced, shall not apply to any proceedings for the recovery of any rate where the institution of the proceedings has been deferred by the rating authority for the purpose of allowing time to persons who, by reason of circumstances attributable directly or indirectly to the present war, are temporarily unable to pay the rate. Extension of time for taking proceedings for recovery of rates. 11 & 12 Vict. c. 43.

2. This Act may be cited as the Rates (Proceedings for Recovery) Act, 1914. Short title.

CHAPTER 86.

An Act to amend the Superannuation Acts, 1834 to 1909.

[18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Distribution of gratuities without probate in certain cases.

1. Where the Treasury has decided to grant a gratuity to the legal personal representatives of a deceased civil servant under section two or section three of the Superannuation Act, 1909, probate or other proof of the title of the personal representatives of the deceased may be dispensed with and the gratuity paid or distributed in manner provided by section eight of the Superannuation Act, 1887, and that section shall apply accordingly as if such gratuity as aforesaid were a sum due to the deceased at the time of his death in respect of superannuation allowance.

9 Edw. 7. c. 10.

50 & 51 Vict. c. 67.

Amendment of s. 2 (1) of Act of 1909.

2. The amount of the gratuity which may be granted under subsection (1) of section two of the Superannuation Act, 1909, to the legal personal representatives of a civil servant who dies whilst still employed in the service shall be either the amount specified in that subsection or an amount equal to the amount of the additional allowance which the Treasury might have granted to him if he had retired from the civil service on the ground of ill-health at the date of his death, whichever may be the greater.

Amendment to s. 4 of Act of 1887.

3. If any person dies while in his employment, being a person to whom a gratuity might have been granted under section four of the Superannuation Act, 1887, if at the time of his death he had retired from such employment because of infirmity of mind or body, the Treasury may, if they think fit, grant to his dependants such compassionate gratuity as they might have granted to the deceased person had he so retired.

Power to grant superannuation allowances to civil servants transferred to other employment in certain cases.

4.—(1) If a civil servant has been before the passing of this Act or is thereafter transferred, with the consent of the head officer of his department, to employment which is approved employment within the meaning of this section, it shall be lawful, upon his retirement from that employment under conditions which would have entitled him to any superannuation allowance, additional allowance, or gratuity had he continued to be employed as a civil servant, for the Treasury, if the head officer of the department in which he was serving at the time of transfer makes a recommendation to that effect, to grant to him, out of moneys provided by Parliament, such superannuation allowance, additional allowance, or gratuity as might have been granted to him if, at the date of transfer, he had retired from the Civil Service on the ground of ill-health.

(2) For the purposes of this section "approved employment" means employment, whether within or without His Majesty's Dominions (not being employment in a public office within the meaning of the Superannuation Act, 1892, service in which qualifies for the grant of a superannuation allowance), which is recognised by the head officer of the department in which the civil servant was serving at the time of transfer, and by the

55 & 56 Vict. c. 40.

Treasury, as being employment to which it is expedient that the provisions of this section should apply.

(3) Section twelve of the Superannuation Act, 1859, is hereby repealed, but nothing in this repeal shall affect the rights of any officer who, before the passing of this Act, has been transferred from employment entitling him to a superannuation allowance to public employment under the Crown not so entitling him, nor shall this repeal affect the said section as applied by any other enactment. 22 Vict. c. 62.

5. Section four of the Superannuation Act, 1859, and section three of the Superannuation Act, 1884 (which relate to superannuation allowances of persons holding professional and other special offices), are hereby repealed, but nothing in this repeal shall affect the rights of any person who, before the date of the passing of this Act, has been appointed to an office to which an order, warrant, or minute of the Treasury, issued under either of the said sections, applied. Repeal of s. 4 of the Act of 1859 and s. 3 of the Act of 1884 as to added years. 47 & 48 Vict. c. 57.

6. Subsection (2) of section seven of the Superannuation Act, 1887 (which provides for the reduction of the pension, superannuation, and other allowance payable to a person when that person is or becomes a lunatic towards whose maintenance a contribution is made out of moneys provided by Parliament), is hereby repealed. Repeal of s. 7 (2) of the Act of 1887.

7. This Act may be cited as the Superannuation Act, 1914; and the Superannuation Acts, 1834 to 1909, and this Act may be cited together as the Superannuation Acts, 1834 to 1914. Short title.

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CHAPTER 87.

An Act to make provision with respect to penalties for Trading with the Enemy, and other purposes connected therewith. [18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Any person who during the present war trades or has, since the fourth day of August nineteen hundred and fourteen, traded with the enemy within the meaning of this Act shall be guilty of a misdemeanour, and shall— Penalties for trading with enemy.

(*a*) on conviction under the Summary Jurisdiction Acts, be liable to imprisonment with or without hard labour for a term not exceeding twelve months, or to a fine not exceeding five hundred pounds, or to both such imprisonment and fine; or

(*b*) on conviction on indictment, be liable to penal servitude for a term not exceeding seven or less than three years or to imprisonment with or without hard labour for a term not exceeding two years, or to a fine, or to both such penal servitude or imprisonment and fine;

and the court may in any case order that any goods or money, in respect of which the offence has been committed, be forfeited.

(2) For the purposes of this Act a person shall be deemed to have traded with the enemy if he has entered into any transaction or done any act which was, at the time of such transaction or act, prohibited by or under any proclamation issued by His Majesty dealing with trading with the enemy for the time being in force, or which at common law or by statute constitutes an offence of trading with the enemy:

Provided that any transaction or act permitted by or under any such proclamation shall not be deemed to be trading with the enemy.

(3) Where a company has entered into a transaction or has done any act which is an offence under this section, every director, manager, secretary, or other officer of the company who is knowingly a party to the transaction or act shall also be deemed guilty of the offence.

(4) A prosecution for an offence under this section shall not be instituted except by or with the consent of the Attorney-General:

Provided that the person charged with such an offence may be arrested and a warrant for his arrest may be issued and executed, and such person may be remanded in custody or on bail notwithstanding that the consent of the Attorney-General to the institution of the prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

(5) Where an act constitutes an offence both under this Act and under any other Act, or both under this Act and at common law, the offender shall be liable to be prosecuted and punished under either this Act or such other Act, or under this Act or at common law, but shall not be liable to be punished twice for the same offence.

Power to inspect books and documents.

2.—(1) If a justice of the peace is satisfied, on information on oath laid on behalf of a Secretary of State or the Board of Trade, that there is reasonable ground for suspecting that an offence under this Act has been or is about to be committed by any person, firm, or company, he may issue a warrant authorising any person appointed by a Secretary of State or the Board of Trade and named in the warrant to inspect all books or documents belonging to or under the control of that person, firm, or company, and to require any person able to give any information with respect to the business or trade of that person,

firm, or company to give that information, and if accompanied by a constable to enter and search any premises used in connexion with the business or trade, and to seize any such books or documents as aforesaid :

Provided that when it appears to a Secretary of State or the Board of Trade that the case is one of great emergency and that in the interests of the State immediate action is necessary, a Secretary of State or the Board of Trade may, by written order, give to a person appointed by him or them the like authority as may be given by a warrant of a justice under this subsection.

(2) Where it appears to the Board of Trade—

(*a*) in the case of a firm, that one of the partners in the firm was immediately before or at any time since the commencement of the present war a subject of, or resident or carrying on business in, a state for the time being at war with His Majesty ; or

(*b*) in the case of a company, that one-third or more of the issued share capital or of the directorate of the company immediately before or at any time since the commencement of the present war was held by or on behalf of or consisted of persons who were subjects of, or resident or carrying on business in, a state for the time being at war with His Majesty ; or

(*c*) in the case of a person, firm or company, that the person was or is, or the firm or company were or are, acting as agent for any person, firm, or company trading or carrying on business in a state for the time being at war with His Majesty ;

the Board of Trade may, if they think it expedient for the purpose of satisfying themselves that the person, firm or company are not trading with the enemy, by written order, give to a person appointed by them, without any warrant from a justice, authority to inspect all books and documents belonging to or under the control of the person, firm or company, and to require any person able to give information with respect to the business or trade of that person, firm or company, to give that information.

For the purposes of this subsection, any person authorised in that behalf by the Board of Trade may inspect the register of members of a company at any time, and any shares in a company for which share warrants to bearer have been issued shall not be reckoned as part of the issued share capital of the company.

(3) If any person having the custody of any book or document which a person is authorised to inspect under this section refuses or wilfully neglects to produce it for inspection, or if any person who is able to give any information which may be

required to be given under this section refuses or wilfully neglects when required to give that information, that person shall on conviction under the Summary Jurisdiction Acts be liable to imprisonment with or without hard labour for a term not exceeding six months, or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.

Power of Board of Trade to apply for receiver in certain cases.

3. Where it appears to the Board of Trade in reference to any firm or company—

(*a*) that an offence under this Act has been or is likely to be committed in connexion with the trade or business thereof; or

(*b*) that the control or management thereof has been or is likely to be so affected by the state of war as to prejudice the effective continuance of its trade or business and that it is in the public interest that the trade or business should continue to be carried on;

the Board of Trade may apply to the High Court for the appointment of a controller of the firm or company, and the High Court shall have power to appoint such a controller, for such time and subject to such conditions and with such powers as the court thinks fit, and the powers so conferred shall be either those of a receiver and manager or those powers subject to such modifications, restrictions or extensions as the court thinks fit (including, if the court considers it necessary or expedient for enabling the controller to borrow money, power, after a special application to the court for that purpose, to create charges on the property of the firm or company in priority to existing charges).

The court shall have power to direct how and by whom the costs of any proceedings under this section, and the remuneration, charges, and expenses of the controller, shall be borne, and shall have power, if it thinks fit, to charge such costs, charges, and expenses on the property of the firm or company in such order of priority, in relation to any existing charges thereon, as it thinks fit.

Short title and construction.

4.—(1) This Act may be cited as the Trading with the Enemy Act, 1914.

(2) In this Act the expression "Attorney-General" means the Attorney or Solicitor-General for England, and as respects Scotland means the Lord Advocate, and as respects Ireland means the Attorney or Solicitor-General for Ireland.

(3) In the application of this Act to Scotland the Secretary for Scotland shall be substituted for a Secretary of State, and the Court of Session shall be substituted for the High Court; the court exercising summary jurisdiction shall be the sheriff court; references to a justice of the peace shall include references to the sheriff and to a burgh magistrate; and references to a receiver and manager shall be construed as references to a judicial factor.

(4) In the application of this Act to Ireland, the Lord Lieutenant shall be substituted for a Secretary of State.

(5) Anything authorised under this Act to be done by the Board of Trade may be done by the President or a Secretary or Assistant Secretary of the Board, or any person authorised in that behalf by the President of the Board.

CHAPTER 88.

An Act to suspend the operation of the Government of Ireland Act, 1914, and the Welsh Church Act, 1914.

[18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Suspension of the operation of the Government of Ireland Act, 1914, and the Welsh Church Act, 1914.
4 & 5 Geo. 5. c. 90.
4 & 5 Geo. 5. c. 91.

1.—(1) Notwithstanding anything in the Government of Ireland Act, 1914, no steps shall be taken to put that Act into operation, and notwithstanding anything in the Welsh Church Act, 1914, the date of disestablishment under that Act shall be postponed, until the expiration of twelve months from the date of the passing of those Acts respectively, or, if at the expiration of those twelve months the present war has not ended, until such later date (not being later than the end of the present war) as may be fixed by His Majesty by Order in Council ; and the provisions of those Acts shall have effect accordingly.

(2) In this Act, the Government of Ireland Act, 1914, means any Act which becomes law during the present session, and which may be cited by that short title ; and the Welsh Church Act, 1914, means any Act which becomes law during the present session and which may be cited by that short title.

Short title.

2. This Act may be cited as the Suspensory Act, 1914.

CHAPTER 89.

An Act to prevent the Disposal or Pledging of Certificates, Naval Uniforms, or other Property, and for purposes connected therewith.

[18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Application to navy of provisions of Army Act as

1. Section one hundred and fifty-six of the Army Act (which imposes a penalty on purchasing from soldiers regimental necessaries, equipment, stores, &c.) shall apply to persons

to pledging of uniforms, certificates, &c.

serving in the naval forces of the Crown as it applies to soldiers, with such adaptations as the Admiralty may by regulations prescribe; and the Admiralty may by those regulations extend the application of subsection nine of the said section so as to make it applicable to any certificate relating to the service of any person serving in the naval forces of the Crown.

Short title.

2. This Act may be cited as the Navy (Pledging of Certificates, &c.) Act, 1914.

CHAPTER 90.

An Act to amend the provision for the Government of Ireland. [18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Commons, in this present Parliament assembled, in accordance with the provisions of the Parliament Act, 1911, and by authority of the same, as follows:

LEGISLATIVE AUTHORITY.

Establishment of Irish Parliament.

1.—(1) On and after the appointed day there shall be in Ireland an Irish Parliament consisting of His Majesty the King and two Houses, namely, the Irish Senate and the Irish House of Commons.

(2) Notwithstanding the establishment of the Irish Parliament or anything contained in this Act, the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters, and things in Ireland and every part thereof.

Legislative powers of Irish Parliament.

2. Subject to the provisions of this Act, the Irish Parliament shall have power to make laws for the peace, order, and good government of Ireland with the following limitations, namely, that they shall not have power to make laws except in respect of matters exclusively relating to Ireland or some part thereof, and (without prejudice to that general limitation) that they shall not have power to make laws in respect of the following matters in particular, or any of them, namely—

(1) The Crown, or the succession to the Crown, or a Regency, or the property of the Crown (including foreshore) or the Lord Lieutenant except as respects the exercise of his executive power in relation to Irish services as defined for the purposes of this Act; or

(2) The making of peace or war or matters arising from a state of war; or the regulation of the conduct of any portion of His Majesty's subjects during the existence

of hostilities between Foreign States with which His Majesty is at peace, in relation to those hostilities; or

(3) The navy, the army, the territorial force, or any other naval or military force, or the defence of the realm, or any other naval or military matter; or

(4) Treaties, or any relations, with Foreign States, or relations with other parts of His Majesty's dominions, or matters involving the contravention of treaties or agreements with Foreign States or any part of His Majesty's dominions, or offences connected with any such treaties or relations, or procedure connected with the extradition of criminals under any treaty, or the return of fugitive offenders from or to any part of His Majesty's dominions; or

(5) Dignities or titles of honour; or

(6) Treason, treason felony, alienage, naturalisation, or aliens as such, or domicile; or

(7) Trade with any place out of Ireland (except so far as trade may be affected by the exercise of the powers of taxation given to the Irish Parliament, or by the regulation of importation for the sole purpose of preventing contagious disease, or by steps taken, by means of inquiries or agencies out of Ireland, for the improvement of Irish trade or for the protection of Irish traders from fraud); the granting of bounties on the export of goods; quarantine; or navigation, including merchant shipping (except as respects inland waters, the regulation of harbours, and local health regulations); or

(8) Any postal services and the rates of charge therefor (except postal communication between one place in Ireland and another such place, and any other postal service which is executed completely in Ireland); designs for stamps, whether for postal or revenue purposes; or

(9) Lighthouses, buoys, or beacons (except so far as they can consistently with any general Act of the Parliament of the United Kingdom be constructed or maintained by a local harbour authority); or

(10) Coinage; legal tender; or any change in the standard of weights and measures; or

(11) Trade marks, designs, merchandise marks, copyright, or patent rights; or

(12) Any of the following matters (in this Act referred to as reserved matters), namely—

(*a*) The general subject-matter of the Acts relating to Land Purchase in Ireland, the Old Age Pensions Acts, 1908 and 1911, the National Insurance Act, 1911, and the Labour Exchanges Act, 1909; 8 Edw. 7. c. 40. 1 & 2 Geo. 5. c. 16. 1 & 2 Geo. 5. c. 55. 9 Edw. 7. c. 7.

(*b*) The collection of taxes;

(*c*) The Royal Irish Constabulary and the management and control of that force;

(*d*) Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies; and

(*e*) Public loans made in Ireland before the passing of this Act:

Provided that the limitation on the powers of the Irish Parliament under this section shall cease as respects any such reserved matter if the corresponding reserved service is transferred to the Irish Government under the provisions of this Act.

Any law made in contravention of the limitations imposed by this section shall, so far as it contravenes those limitations, be void.

Prohibition of laws interfering with religious equality, &c.

3. In the exercise of their power to make laws under this Act the Irish Parliament shall not make a law so as either directly or indirectly to establish or endow any religion, or prohibit or restrict the free exercise thereof, or give a preference, privilege, or advantage, or impose any disability or disadvantage, on account of religious belief or religious or ecclesiastical status, or make any religious belief or religious ceremony a condition of the validity of any marriage, or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at that school, or alter the constitution of any religious body except where the alteration is approved on behalf of the religious body by the governing body thereof, or divert from any religious denomination the fabric of cathedral churches or, except for the purpose of roads, railways, lighting, water, or drainage works, or other works of public utility upon payment of compensation, any other property.

Any law made in contravention of the restrictions imposed by this section shall, so far as it contravenes those restrictions, be void.

EXECUTIVE AUTHORITY.

Executive power in Ireland.

4.—(1) The executive power in Ireland shall continue vested in His Majesty the King, and nothing in this Act shall affect the exercise of that power except as respects Irish services as defined for the purposes of this Act.

(2) As respects those Irish services the Lord Lieutenant or other chief executive officer or officers for the time being appointed in his place, on behalf of His Majesty, shall exercise any prerogative or other executive power of His Majesty the exercise of which may be delegated to him by His Majesty.

(3) The power so delegated shall be exercised through such Irish Departments as may be established by Irish Act or, subject to any alteration by Irish Act, by the Lord Lieutenant, and the Lord Lieutenant may appoint officers to administer

those Departments, and those officers shall hold office during the pleasure of the Lord Lieutenant.

(4) The persons who are for the time being heads of such Irish Departments as may be determined by Irish Act or, in the absence of any such determination, by the Lord Lieutenant, and such other persons (if any) as the Lord Lieutenant may appoint, shall be the Irish Ministers :

Provided that—

(*a*) No such person shall be an Irish Minister unless he is a member of the Privy Council of Ireland ; and

(*b*) No such person shall hold office as an Irish Minister for a longer period than six months, unless he is or becomes a member of one of the Houses of the Irish Parliament ; and

(*c*) Any such person not being the head of an Irish Department shall hold office as an Irish Minister during the pleasure of the Lord Lieutenant in the same manner as the head of an Irish Department holds his office.

(5) The persons who are Irish Ministers for the time being shall be an Executive Committee of the Privy Council of Ireland (in this Act referred to as the "Executive Committee"), to aid and advise the Lord Lieutenant in the exercise of his executive power in relation to Irish services.

(6) In the exercise of powers delegated to the Lord Lieutenant in pursuance of this section no preference, privilege, or advantage shall be given to, nor shall any disability or disadvantage be imposed on, any person on account of religious belief, except where the nature of the case in which the power is exercised itself involves the giving of such preference, privilege, or advantage, or the imposing of such a disability or disadvantage.

(7) For the purposes of this Act, "Irish services" are all public services in connexion with the administration of the civil government of Ireland except the administration of matters with respect to which the Irish Parliament have no power to make laws, including in the exception all public services in connexion with the administration of the reserved matters (in this Act referred to as "reserved services").

Future transfer of certain reserved services.

5.—(1) The public services in connexion with the administration of the Acts relating to the Royal Irish Constabulary and the management and control of that force, shall by virtue of this Act be transferred from the Government of the United Kingdom to the Irish Government on the expiration of a period of six years from the appointed day and those public services shall then cease to be reserved services and become Irish services.

(2) If a resolution is passed by both Houses of the Irish Parliament providing for the transfer from the Government of

the United Kingdom to the Irish Government of the following reserved services, namely—

(*a*) All public services in connexion with the administration of the Old Age Pensions Acts, 1908 and 1911; or

(*b*) All public services in connexion with the administration of Part I. of the National Insurance Act, 1911; or

(*c*) All public services in connexion with the administration of Part II. of the National Insurance Act, 1911, and the Labour Exchanges Act, 1909; or

(*d*) All public services in connexion with the administration of Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies;

the public services to which the resolution relates shall be transferred accordingly as from a date fixed by the resolution, being a date not less than a year after the date on which the resolution is passed, and shall on the transfer taking effect cease to be reserved services and become Irish services:

Provided that this provision shall not take effect as respects the transfer of the services in connexion with Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies until the expiration of ten years from the appointed day.

(3) On any transfer under or by virtue of this section, the general provisions of this Act (so far as applicable) and the provisions of this Act as to existing Irish officers shall apply with respect to the transfer, with the substitution of the date of the transfer for the appointed day or the date of the passing of this Act.

IRISH PARLIAMENT.

Summoning, &c. of Irish Parliament.

6.—(1) There shall be a session of the Irish Parliament once at least in every year, so that twelve months shall not intervene between the last sitting of the Parliament in one session and their first sitting in the next session.

(2) The Lord Lieutenant shall, in His Majesty's name, summon, prorogue, and dissolve the Irish Parliament.

Royal assent to Bills of Irish Parliament.

7. The Lord Lieutenant shall give or withhold the assent of His Majesty to Bills passed by the two Houses of the Irish Parliament, subject to the following limitations; namely—

(1) He shall comply with any instructions given by His Majesty in respect of any such Bill; and

(2) He shall, if so directed by His Majesty, postpone giving the assent of His Majesty to any such Bill presented to him for assent for such period as His Majesty may direct.

Composition of Irish Senate.

8.—(1) The Irish Senate shall consist of forty senators nominated as respects the first senators by the Lord Lieutenant subject to any instructions given by His Majesty in respect of the nomination, and afterwards elected by the four provinces of Ireland as separate constituencies in the number stated in the Third Part of the First Schedule to this Act.

(2) The election of senators shall be according to the principle of proportional representation, the electors being the same electors as the electors of members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom, and each elector having one transferable vote.

His Majesty may by Order in Council frame regulations prescribing the method of voting at elections of senators and of transferring and counting votes at such an election and the mode of appointment and duties of returning officers in connexion therewith, and any such regulations shall have effect as if they were enacted in this Act.

(3) The term of office of every senator shall be five years, and shall not be affected by a dissolution; the senators, at the end of their term of office, shall retire all together, and their seats shall be filled by a new election.

(4) If the place of a senator becomes vacant before the expiration of his term of office, the Lord Lieutenant shall, unless the place becomes vacant not more than six months before the expiration of that term of office, cause a writ to be issued for electing a senator in the stead of the senator whose place is vacant, if that senator was an elected senator, and if he was a nominated senator nominate a senator in his place, but any senator so elected or nominated to fill a vacancy shall hold office only so long as the senator in whose stead he is elected or nominated would have held office.

Composition of Irish House of Commons.

9.—(1) The Irish House of Commons shall consist of one hundred and sixty-four members, returned by the constituencies in Ireland named in the First Part of the First Schedule to this Act in accordance with that Schedule, and elected by the same electors and in the same manner as members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom.

(2) In any constituency which returns three or more members the election shall be held on the principle of proportional representation and each elector shall have one transferable vote.

(3) The Irish House of Commons when summoned shall, unless sooner dissolved, have continuance for five years from the day on which the summons directs the House to meet and no longer.

(4) After three years from the day of the first meeting of the Irish Parliament, the Irish Parliament may alter, as respects the Irish House of Commons, the qualification and registration of the electors, the law relating to elections and the questioning of elections, the constituencies, and the distribution of the members of the House among the constituencies, provided that in any new distribution the number of the members of the House shall not be altered, and due regard shall be had to the population of the constituencies other than University constituencies.

Money Bills.

10.—(1) Bills appropriating revenue or money, or imposing taxation shall originate only in the Irish House of Commons, but a Bill shall not be taken to appropriate revenue or money or to impose taxation by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the payment or appropriation of fees for licences or fees for services under the Bill.

(2) The Irish House of Commons shall not adopt or pass any vote, resolution, address, or Bill for the appropriation for any purpose of any part of the public revenue of Ireland or of any tax, except in pursuance of a recommendation from the Lord Lieutenant in the session in which the vote, resolution, address, or Bill is proposed.

(3) The Irish Senate may not reject any Bill which deals only with the imposition of taxation or appropriation of revenue or money for the services of the Irish Government, and may not amend any Bill so far as the Bill imposes taxation or appropriates revenue or money for the services of the Irish Government, and the Irish Senate may not amend any Bill so as to increase any proposed charges or burden on the people. This provision shall apply to the failure in any session to pass a Money Bill which has been sent up to the Irish Senate at least one month before the end of the session as it applies to the actual rejection of such a Bill.

(4) Any Bill which appropriates revenue or money for the ordinary annual services of the Irish Government shall deal only with that appropriation.

Disagreement between two Houses of Irish Parliament.

11.—(1) If the Irish House of Commons pass any public Bill which is sent up to the Irish Senate at least one month before the end of the session and the Irish Senate reject or fail to pass it, or pass it with amendments to which the Irish House of Commons will not agree, and if the Irish House of Commons in the next session again pass the Bill with or without any amendments which have been made or agreed to by the Irish Senate, and the Irish Senate reject or fail to pass it, or pass it with amendments to which the Irish House of Commons will not agree, the Lord Lieutenant may during that session convene a joint sitting of the members of the two Houses.

(2) The members present at any such joint sitting may deliberate and shall vote together upon the Bill as last proposed by the Irish House of Commons, and upon the amendments (if any) which have been made therein by the one House and not agreed to by the other; and any such amendments which are affirmed by a majority of the total number of members of the two Houses present at the sitting shall be taken to have been carried.

(3) If the Bill with the amendments (if any) so taken to have been carried is affirmed by a majority of the total number of members of the two Houses present at any such sitting, it shall be taken to have been duly passed by both Houses.

(4) This section shall apply, with the necessary modifications, in the case of the failure of the Irish Senate to pass a resolution providing for a transfer from the Government of the United Kingdom to the Irish Government of a reserved service when the Irish House of Commons have passed such a resolution, as it applies to the failure of the Irish Senate to pass a Bill which has been passed by the Irish House of Commons.

Privileges, qualifications, &c. of members of Irish Parliament.

12.—(1) The powers, privileges, and immunities of the Irish Senate and of the Irish House of Commons, and of the members and of the committees of the Irish Senate and the Irish House of Commons, shall be such as may be defined by Irish Act, but so that they shall never exceed those for the time being held and enjoyed by the Commons House of Parliament of the United Kingdom and its members and committees, and, until so defined, shall be those held and enjoyed by the Commons House of Parliament of the United Kingdom, and its members and committees at the date of the passing of this Act.

(2) The law, as for the time being in force, relating to the qualification and disqualification of members of the Commons House of Parliament of the United Kingdom, and the taking of any oath required to be taken by a member of that House, shall apply to members of the Irish Senate and the Irish House of Commons.

(3) Any peer, whether of the United Kingdom, Great Britain, England, Scotland, or Ireland, shall be qualified to be a member of either House.

(4) A member of either House shall be incapable of being nominated or elected, or of sitting, as a member of the other House, but an Irish Minister who is a member of either House shall have the right to sit and speak in both Houses, but shall vote only in the House of which he is a member.

(5) A member of either House may resign his seat by giving notice of resignation to the person and in the manner directed by standing orders of the House, or if there is no such direction, by notice in writing of resignation sent to the Lord Lieutenant, and his seat shall become vacant on notice of resignation being given.

(6) The powers of either House shall not be affected by any vacancy therein, or by any defect in the nomination, election, or qualification, of any member thereof.

(7) His Majesty may by Order in Council declare that the holders of the offices in the Irish Executive named in the Order shall not be disqualified for being members of either House of the Irish Parliament by reason of holding office under the Crown, and except as otherwise provided by Irish Act, the Order shall have effect as if it were enacted in this Act, but on acceptance of any such office the seat of any such person in the Irish House of Commons shall be vacated unless he has accepted the office in succession to some other of the said offices.

IRISH REPRESENTATION IN THE HOUSE OF COMMONS.

Representation of Ireland in the House of Commons of the United Kingdom.

13. Unless and until the Parliament of the United Kingdom otherwise determine, the following provisions shall have effect :—

(1) After the day of the first meeting of the Irish Parliament the number of members to be returned by constituencies in Ireland to serve in the Parliament of the United Kingdom shall be forty-two and the constituencies returning those members shall (in lieu of the existing constituencies) be the constituencies named in the Second Part of the First Schedule to this Act, and no University in Ireland shall return a member to the Parliament of the United Kingdom.

(2) The election laws and the laws relating to the qualification of parliamentary electors shall not, so far as they relate to elections of members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom, be altered by the Irish Parliament, but this enactment shall not prevent the Irish Parliament from dealing with any officers concerned with the issue of writs of election, and if any officers are so dealt with, it shall be lawful for His Majesty by Order in Council to arrange for the issue of any such writs, and the writs issued in pursuance of the Order shall be of the same effect as if issued in manner heretofore accustomed.

FINANCE.

Irish revenue and expenditure.

14.—(1) There shall be an Irish Exchequer and an Irish Consolidated Fund separate from those of the United Kingdom.

(2) The proceeds of all taxes levied in Ireland, whether under the authority of the Parliament of the United Kingdom or of the Irish Parliament, shall be paid into the Exchequer of the United Kingdom, but, subject as herein-after provided, there shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof in each year to the Irish Exchequer a sum (in this Act referred to as "the Transferred Sum") consisting of—

(*a*) such sum as may be determined by the Joint Exchequer Board established under this Act (herein-after referred to as the Joint Exchequer Board) to represent the net cost to the Exchequer of the United Kingdom at the time of the passing of this Act of Irish services; and

(*b*) a sum of five hundred thousand pounds, diminishing in each year after the third year of payment by the sum of fifty thousand pounds until it is reduced to the sum of two hundred thousand pounds; and

(*c*) a sum equal to the proceeds as determined by the Joint Exchequer Board of any Irish Taxes imposed in Ireland by the Irish Parliament under the powers given to them by this Act.

(3) Provision shall be made by the Irish Parliament for the cost of Irish services within the meaning of this Act, and, except as provided by this Act, any charge on the Consolidated Fund of the United Kingdom for those services, including any charge for the benefit of the Local Taxation (Ireland) Account, or any grant or contribution out of moneys provided by the Parliament of the United Kingdom so far as made for those services shall cease, and money for loans in Ireland shall cease to be advanced either by the Public Works Loans Commissioners or out of the Local Loans Fund.

Powers of Irish Parliament with respect to taxation.

15.—(1) The Irish Parliament shall have power to vary (either by way of addition, reduction, or discontinuance) any Imperial tax so far as respects the levy of that tax in Ireland, and to impose in Ireland any independent tax not being in the opinion of the Joint Exchequer Board substantially the same in character as an Imperial tax, subject to the following limitations :—

(*a*) The Irish Parliament shall not have power to impose or charge a Customs duty, whether an import or an export duty, on any article unless that article is for the time being liable to a Customs duty of a like character levied as an Imperial tax, and shall not have power to vary, except by way of addition, any Customs duty levied as an Imperial tax, or any Excise duty so levied where there is a corresponding Customs duty ; and

(*b*) The benefit to accrue to the Irish Exchequer from any addition to any Customs duty levied as an Imperial tax (other than a Customs duty on beer or spirits), or to any duty of income tax so levied, or to any death duty so levied, shall be limited as in this Act provided ; and

(*c*) The power of the Irish Parliament to vary an Imperial tax, so far as income tax (not including super-tax) is concerned, shall only be exercised so as to alter the conditions under which any exemption, abatement, or relief from the tax may be granted to persons resident in Ireland without varying the rate of the tax, and, so far as any Customs duty or any death duty is concerned, shall only be exercised so as to vary the rate of the duty without otherwise altering the provisions with respect to the duty, or discriminating in that variation between persons, articles, or property, and where the duty is one of two or more correlated duties, or is a duty levied at

capacity, or an officer who though not serving in an established capacity devotes his whole time to the duties of his office, is removed from office or required to retire by the Irish Government for any cause other than misconduct or incapacity, he shall be entitled to receive such compensation as the Civil Service Committee may award to him in accordance with the provisions of Part II. of the Rules contained in this Schedule.

(3) The compensation of an officer serving in an established capacity who has previously served in a non-established capacity may be determined in accordance with the provisions of Part II. instead of the provisions of Part I. of the Rules contained in this Schedule, if he so requires, and in that case the limit of the compensation shall be the amount of compensation which might have been awarded if his whole service had been service in an established capacity, and the compensation of an officer not serving in an established capacity may be determined in accordance with the provisions of Part I. instead of the provisions of Part II. of those Rules if the Civil Service Committee are satisfied that he serves in a capacity which under a condition of his employment qualifies him for a superannuation allowance or gratuity on terms not less advantageous than if he served in an established capacity, and accordingly in the application to him of the provisions of Part I. of those Rules references to that condition shall, where the context so requires, be substituted for references to the Superannuation Acts, 1834 to 1909.

2. For the purposes of this Act, the statutory conditions of retirement are that—

(*a*) Retirement must take place within a period of five years from the appointed day (in this Schedule referred to as the transitional period);

(*b*) Notice of the intention to retire must be given in accordance with Regulations made by the Civil Service Committee;

(*c*) The retirement must not take place until at least six months after the notice of retirement has been given, and may be postponed by the Civil Service Committee, if they think fit, to any later date within the transitional period; and

(*d*) The retiring officer must show to the satisfaction of the Civil Service Committee that he is not incapacitated by mental or bodily infirmity for the performance of his duties and that he will not attain the age of sixty-five years before the end of the transitional period.

3. The Civil Service Committee shall not give their permission under this Act to an officer to retire unless that officer shows to the satisfaction of the Committee—

(*a*) that the duties which he is required to perform are neither the same as nor analogous to the duties theretofore performed by him or are an unreasonable addition to those duties; or

(*b*) that owing to changes made after the end of the transitional period in the conditions of his employment, his position has been materially altered to his detriment.

4.—(1) For the purpose of the provisions of this Act as to existing officers, petty sessions clerks and officers in the Registry of Petty Sessions Clerks shall be deemed to be officers in the civil service of the Crown, and in the case of officers in the Registry of Petty Sessions Clerks to be officers serving in an established capacity.

This provision shall apply to the pensionable assistants of the petty sessions clerks at Cork and Belfast as it applies to the petty sessions clerks.

5. In this Schedule references to the Irish Government shall include references to any department or officer of the Irish Government.

Rules—Part I.

Officers serving in the Civil Service of the Crown in an established Capacity.

A.—On Retirement under the Statutory Conditions of Retirement.

1. The compensation which may be awarded to the officer shall be an annual allowance, not exceeding in any case two-thirds of the salary on which the allowance is reckoned, or, if he has completed less than ten years of service as reckoned for the purposes of this provision, a gratuity.

2. The annual allowance or gratuity shall be calculated in like manner as the superannuation allowance or gratuity which the officer would be qualified to receive under the Superannuation Acts, 1834 to 1909, if he retired on the ground of ill-health, save that for the purposes of that calculation, the following provisions shall have effect, that is to say :—

(*a*) His years of service shall be reckoned as if he had served up to the end of the transitional period, and there shall be added any additional years which he may be entitled to reckon under section four of the Superannuation Act, 1859 :

(*b*) His salary, where there are periodical increments, shall be taken at the amount which it would have reached if he had continued to serve in the same office up to the end of the transitional period.

B.—On retirement with the permission of the Civil Service Committee under this Act or on being removed from office or required to retire by the Irish Government before attaining the age of sixty-five years for any cause other than misconduct or incapacity.

1. The compensation which may be awarded to the officer shall be an annual allowance not exceeding in any case two-thirds of the salary on which the allowance is reckoned.

2. The annual allowance shall be calculated in like manner as the superannuation allowance which the officer would be qualified to receive under the Superannuation Acts, 1834 to 1909, if he retired on the ground of ill-health, save that for the purposes of such calculation, the following provisions shall have effect, that is to say :—

(*a*) Where the officer retires or is removed after the end of the transitional period, ten years shall be added as abolition years to the years of service which he would be entitled to reckon for the purposes of such superannuation allowance :

(*b*) Where the officer retires or is removed during the transitional period his years of service shall be reckoned, and the amount of his salary shall be computed in the same manner as is provided in this Part of these Rules in the case of an officer

country or, if no Excise duty is levied in the country into which the articles are sent, equal to the drawback allowed on exportation.

The Excise duty on a licence granted to a manufacturer of any article, the amount of which varies either directly or indirectly according to the amount of the article manufactured, shall be treated for the purposes of this subsection as an Excise duty on the article manufactured.

(4) The proceeds of any Customs duty charged under this section in Ireland on any article shall to the extent to which they exceed the proceeds of the Customs or Excise duty which would have been charged on the article in Great Britain be deemed to be the proceeds of a Customs duty levied as an Irish tax, if the duty is charged in respect of a difference of Customs duties, and be deemed to be the proceeds of an Excise duty levied as an Irish tax if the duty is charged in respect of a difference of Excise duties, and as to the balance be deemed to be the proceeds of an Imperial tax.

(5) Nothing in this section shall affect any enactment under which articles deposited in a bonded warehouse without payment of duty may be transferred from one country to the other country.

Supplemental provisions as to Transferred Sum and Irish revenue.

17.—(1) The Transferred Sum shall be paid to the Irish Exchequer at such times and in such manner and according to such regulations as the Joint Exchequer Board may direct.

(2) In the event of the reduction or discontinuance of any Imperial tax by the Irish Parliament, the Transferred Sum shall be reduced in each year by such sum as may be determined by the Joint Exchequer Board to represent the amount by which the proceeds of the tax are diminished in that year in consequence of the reduction or discontinuance.

(3) If in any financial year the proceeds of any Irish tax imposed as an addition to any Customs duty levied as an Imperial tax (other than a Customs duty on beer or spirits), or to any duty of Income Tax so levied, or to any death duty so levied, exceed one-tenth of the proceeds in Ireland of that duty as levied as an Imperial tax for the same period, the amount of the excess shall not be treated for the purposes of this Act as part of the proceeds of the Irish tax, and the amount payable to the Irish Exchequer in respect of the proceeds of the Irish tax shall be reduced accordingly :

Provided that—

(*a*) For the purposes of this provision, the proceeds of any tax shall be deemed to be the proceeds as determined by the Joint Exchequer Board ; and

(*b*) The foregoing provision shall not apply so far as the excess is solely due to the reduction of the rate of the Imperial tax.

(4) When an Imperial tax has been varied by the Irish Parliament, the Joint Exchequer Board, in determining for the

purposes of this Act the proceeds in Ireland of the Irish tax in the case of a variation by way of addition, or the amount by which the proceeds of the Imperial tax are diminished in the case of a variation by way of reduction or discontinuance, shall consider what the amount of the proceeds in Ireland of the Imperial tax would have been if the variation had not been made, and in the case of a variation by way of addition shall treat any excess over that amount as the proceeds of the Irish tax, and in the case of a variation by way of reduction or discontinuance shall treat any deficiency below that amount as the amount by which the proceeds of the Imperial tax have been diminished by reason of the reduction or discontinuance.

If in a case of variation by way of addition it is found that there is a deficiency below instead of an excess over the amount which would have been, in the opinion of the Joint Exchequer Board, the proceeds in Ireland of the Imperial tax if the variation had not been made, the amount of that deficiency shall be deducted from the Transferred Sum in accordance with regulations made by the Treasury.

(5) Where an independent tax is imposed by the Irish Parliament, the Joint Exchequer Board shall in each year lay before the Commons House of Parliament of the United Kingdom a report as to the yield and cost of collection of the tax, and if that House pass a resolution declaring that the additional expense caused to the United Kingdom Exchequer by the cost of the collection of the tax is excessive compared with the yield of the tax, and that the whole or any specified part of the cost of collection of the tax should be deducted from the Transferred Sum, an amount equal to the whole or the specified part of the cost of collection shall be deducted from the Transferred Sum accordingly in accordance with regulations made by the Treasury.

(6) When any reserved service is transferred from the Government of the United Kingdom to the Government of Ireland, the Transferred Sum shall be increased by such sum as may be determined by the Joint Exchequer Board to represent the equivalent of any saving to the Exchequer of the United Kingdom by reason of the transfer, and in determining that equivalent regard shall be had to the prospect of any increase or decrease in the cost of that service which may be expected to arise from causes not being matters of administration.

The sum by which the Transferred Sum is to be increased in pursuance of this provision may be fixed by the Joint Exchequer Board so as to vary during the first ten years after the transfer, but subject thereto shall be a definite sum.

Charge on Transferred Sum of sums charged on the Guarantee Fund.

18.—(1) The charge on the Guarantee Fund under the Irish Land Purchase Acts in respect of—

(*a*) sums which owing to the deficiency of the Irish Land Purchase Account, are paid out of the Consolidated Fund on account of the dividends and sinking fund

payments of Irish guaranteed land stock under section one of the Purchase of Land (Ireland) Act, 1891; and

54 & 55 Vict. c. 48.

(*b*) sums which, owing to the deficiency of the income of the Irish Land Purchase Fund, are paid out of the Consolidated Fund on account of the dividends on stock under section twenty-nine of the Irish Land Act, 1903;

3 Edw. 7. c. 37.

(*c*) arrears of annual payments under subsection (4) of section thirty-six of the Irish Land Act, 1903;

shall cease, and any such sums or arrears which would under the Irish Land Purchase Acts have been made good out of the Guarantee Fund (not being sums or arrears on account of a deficiency in respect of the issue of stock, or bills, or bonds, at a discount or in respect of interest or sinking fund which, under section seven of the Irish Land Act, 1909, are a charge on that portion of the Ireland Development Grant which forms part of the cash portion of the Guarantee Fund), shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

9 Edw. 7. c. 42.

(2) In determining the amount representing the net cost to the Exchequer of the United Kingdom at the time of the passing of this Act of Irish services, the Joint Exchequer Board shall treat the whole of the death duty grant payable under section nineteen of the Finance Act, 1894, and of the Exchequer contribution payable under section five of the Purchase of Land (Ireland) Act, 1891, and of the agricultural grant payable under the Local Government (Ireland) Act, 1898, as part of that cost, without taking into account any diminution of those grants owing to their being included in the Guarantee Fund.

57 & 58 Vict. c. 30.
54 & 55 Vict. c. 48.
61 & 62 Vict. c. 37.

Development fund and road improvement grant.

19.—(1) Nothing in this Act shall affect the powers of the Treasury or the Development Commissioners or the Road Board with respect to Ireland under the Development and Road Improvement Funds Act, 1909, and for the purposes of that Act any Irish department shall be deemed to be a Government department within the meaning of that Act.

9 Edw. 7. c. 47.

(2) So long as a sum equal to the net proceeds of the duties on motor spirits and the net proceeds of the duties on licences for motor cars levied in Ireland is paid as part of the road improvement grant under section ninety of the Finance (1909–10) Act, 1910, the proceeds of those duties shall not be treated for the purposes of the financial provisions of this Act as the proceeds of an Imperial tax levied in Ireland, nor shall the Irish Parliament have power to vary those duties.

10 Edw. 7. c. 8.

Irish Church Fund.

20.—(1) The Irish Church Temporalities Fund shall belong to the Irish Government and be managed, administered, and disposed of as directed by Irish Act:

Provided that all existing charges on that fund shall, if and so far as not paid, be paid out of the Exchequer of the United

Kingdom, and be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

(2) The Irish Church Temporalities Fund means the fund under the control of the Land Commission by virtue of the Irish Church Act Amendment Act, 1881. 44 & 45 Vict. c. 71.

Supplemental provisions as to Irish Exchequer and Consolidated Fund.

21.—(1) All sums paid into the Irish Exchequer shall form a Consolidated Fund, and be appropriated to the public service of Ireland by Irish Act, and shall not be applied for any purpose for which they are not so appropriated.

(2) Save as may be otherwise provided by Irish Act, the existing law relating to the Exchequer and Consolidated Fund of the United Kingdom shall apply with the necessary modifications to the Irish Exchequer and the Irish Consolidated Fund, and an officer shall be appointed by the Lord Lieutenant to be the Irish Comptroller and Auditor-General.

(3) Save as may be otherwise provided by Irish Act, the accounts of the Irish Consolidated Fund shall be audited as Appropriation Accounts, in manner provided by the Exchequer and Audit Departments Act, 1866, and any Act amending the same, by or under the direction of the Irish Comptroller and Auditor-General. 29 & 30 Vict. c. 39.

Joint Exchequer Board.

22.—(1) For the purposes of the financial provisions of this Act there shall be established a Board to be called the Joint Exchequer Board, consisting of two members appointed by the Treasury and two members appointed by the Irish Treasury and a Chairman appointed by His Majesty.

(2) It shall be the duty of the Joint Exchequer Board to determine any matter which is to be determined by the Board under this Act, or in pursuance of any Irish Transfer Order in Council made under this Act, and also to determine any other matter in connexion with the Transferred Sum, or Irish revenue or expenditure, or the cost of any reserved service, which may be referred to them for determination by the Treasury and the Irish Treasury jointly, and, subject to the provisions of this Act as to appeals from decisions of the Board, the decision of the Board on any matter which is to be determined by them shall be final and conclusive.

(3) Any vacancy arising in the office of a member of the Board shall be filled by the authority by whom the member whose place is vacant was appointed.

(4) The Board may act by a majority; the quorum at any meeting of the Board shall be three; subject to the provisions of this Act the Board may regulate their own procedure.

Charge of Irish Government loans on Transferred Sum and management by Joint Exchequer Board.

23.—(1) If provision is made by Irish Act for securing any loan raised by the Government of Ireland upon the Transferred Sum and for the payment of such part of the Transferred Sum as in the opinion of the Joint Exchequer Board may be required for the services of the loan in each year direct to that Board, the Board may undertake on behalf of the Irish Government the issue

and management of the loan and the application of the money paid to them for the services of the loan.

(2) Where provision is so made for the payment of a part of the Transferred Sum to the Joint Exchequer Board in connexion with a loan the management of which is undertaken by the Board in accordance with this section, the Treasury shall cause the requisite part of the Transferred Sum to be paid to the Joint Exchequer Board instead of to the Irish Exchequer.

(3) The accounts of the Joint Exchequer Board in respect of any sums received by them under this section in connexion with any loan shall be audited in the same manner as the accounts of the Irish Consolidated Fund are for the time being audited.

(4) Any stock or securities issued in respect of any loan raised by the Irish Government shall be deemed to be included amongst the securities in which a trustee may invest under the powers of the Trustee Act, 1893, or of the Trusts (Scotland) Acts, 1861 to 1910.

56 & 57 Vict. c. 53.

Ascertainment of true Irish revenue.

24. In ascertaining for the purposes of this Act the proceeds in Ireland of any Imperial tax or of any Irish tax, the Joint Exchequer Board shall treat the proceeds collected in Ireland as the proceeds of the tax in Ireland, subject to such adjustments as the Board think equitable, with a view to attributing to Ireland any proceeds of taxes collected in Great Britain but properly attributable to Ireland, and to attributing to Great Britain any proceeds of taxes collected in Ireland but properly attributable to Great Britain, and with a view to meeting cases where the rate of a tax is, or other conditions affecting the charge of a tax are, different in Great Britain and Ireland.

Alteration of taxes to be treated as increases or reductions of taxes as the case may be.

25. For the purposes of this Act the withdrawal in whole or in part of an exemption from a tax shall be treated as the imposition of an addition to or as the increase of a tax, and the grant or extension of an exemption from a tax shall be treated as a reduction of a tax, and any other alteration of the provisions with respect to any tax in consequence of which the proceeds of the tax are increased or diminished shall be treated as an increase or reduction of the tax, as the case may be.

Revision of financial arrangements in certain events.

26.—(1) If it appears to the Joint Exchequer Board that during any three successive years after the passing of this Act, the aggregate of the total proceeds of Imperial taxes in Ireland as determined by the Board, and the total proceeds of Irish taxes and any other money available in the year for the payment of the cost of Irish services, as so determined, together with any share in any miscellaneous revenue of the United Kingdom to which the Joint Exchequer Board may consider Ireland to be entitled, exceeded in each of those years the total cost of Irish services, together with the cost of any services which are for the time being reserved services, the Board shall present a report to that effect to the Treasury and to the Lord

Lieutenant, and the Treasury and the Lord Lieutenant shall cause a copy of the report to be laid before the Parliament of the United Kingdom and the Irish Parliament respectively.

(2) The presentation of such a report shall be taken to be a ground for the revision by the Parliament of the United Kingdom of the financial provisions of this Act, with a view to securing a proper contribution from Irish revenues towards the common expenditure of the United Kingdom and extending the powers of the Irish Parliament and the Irish Government with respect to the imposition and collection of taxes.

(3) For the purpose of revising the financial provisions of this Act in pursuance of this section, there shall be summoned to the Commons House of Parliament of the United Kingdom such number of members of the Irish House of Commons as will make the representation of Ireland in the Commons House of Parliament of the United Kingdom equivalent to the representation of Great Britain on the basis of population; and the members of the Irish House of Commons so summoned shall be deemed to be members of the Commons House of Parliament of the United Kingdom for the purpose of any such revision.

(4) His Majesty may by Order in Council make such provision for summoning and selecting in pursuance of this provision the members of the Irish House of Commons as His Majesty may think necessary or proper, and any provisions contained in any such Order in Council shall have the same effect as if they had been enacted in this Act.

An Order in Council made under this provision shall be laid before the Commons House of Parliament of the United Kingdom within forty days next after it is made if that House is then sitting or, if not, within forty days after the commencement of the then next ensuing session; and if an address is presented to His Majesty by that House within the next twenty-one days on which that House has sat next after the Order is laid before it praying that the Order may be annulled, His Majesty may thereupon by Order in Council annul the same, and the Order so annulled shall forthwith become void, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the Order.

Provisions as to Judicial Power.

Tenure of office by judges.

27. A judge of the Supreme Court or other superior court in Ireland, or of any county court or other court with a like jurisdiction in Ireland, appointed after the appointed day shall be appointed by the Lord Lieutenant, and shall hold his office by the same tenure as that by which the office is held at the time of the passing of this Act, with the substitution of an address from both Houses of the Irish Parliament for an address from both Houses of the Parliament of the United Kingdom, and during his continuance in office his salary shall not be diminished or his right to pension altered without his consent.

Irish appeals.

28.—(1) The appeal from courts in Ireland to the House of Lords shall cease; and where any person would, but for this Act, have a right to appeal from any court in Ireland to the House of Lords, that person shall have the like right to appeal to His Majesty the King in Council; and all enactments relating to appeals to His Majesty the King in Council, and to the Judicial Committee of the Privy Council, shall apply accordingly.

(2) When the Judicial Committee sit for hearing any appeal from a court in Ireland in pursuance of any provisions of this Act, there shall be present not less than four Lords of Appeal, within the meaning of the Appellate Jurisdiction Act, 1876, and at least one member who is or has been a judge of the Supreme Court in Ireland.

39 & 40 Vict. c. 59.

(3) A rota of privy counsellors to sit for hearing appeals from courts in Ireland shall be made annually by His Majesty in Council, and the privy counsellors, or some of them, on that rota shall sit to hear the said appeals. A casual vacancy occurring in the rota during the year may be filled by Order in Council.

(4) Any person who is aggrieved by any decision of the Court of Appeal in any proceedings taken by way of certiorari, mandamus, quo warranto, or prohibition, shall have a right to appeal to His Majesty the King in Council in the same manner as if he had such a right to appeal to the House of Lords before the passing of this Act.

(5) Nothing in this Act shall affect the jurisdiction of the House of Lords to determine the claims to Irish peerages.

Special provision for decision of constitutional questions.

29.—(1) If it appears to the Lord Lieutenant or a Secretary of State expedient in the public interest that steps shall be taken for the speedy determination of the question whether any Irish Act or any provision thereof, or any Irish Bill or any provision thereof, is beyond the powers of the Irish Parliament, or whether any service is an Irish service within the meaning of this Act or not, or if the Joint Exchequer Board, or any two members of the Board, in the execution of their duties under this Act, are desirous of obtaining the decision of any question of the interpretation of this Act, or other question of law, which arises in connexion with those duties, the Lord Lieutenant, Secretary of State, or Board, or members thereof, as the case may be, may represent the same to His Majesty in Council, and thereupon, if His Majesty so directs, the said question shall be forthwith referred to and heard and determined by the Judicial Committee of the Privy Council, constituted as if hearing an appeal from a court in Ireland.

(2) Upon the hearing of the question such persons as seem to the Judicial Committee to be interested may be allowed to appear and be heard as parties to the case, and the decision of the Judicial Committee shall be given in like manner as if it were the decision of an appeal, the nature of the report or recommendation to His Majesty being stated in open court.

(3) Nothing in this Act shall prejudice any other power of His Majesty in Council to refer any question to the Judicial Committee or the right of any person to petition His Majesty for such reference.

Appeal in cases where the validity of an Irish law is questioned.

30.—(1) Where any decision of the Court of Appeal in Ireland involves the decision of any question as to the validity of any law made by the Irish Parliament, and the decision is not otherwise subject to an appeal to His Majesty the King in Council, an appeal shall lie to His Majesty the King in Council by virtue of this section, but only by leave of the Court of Appeal or His Majesty.

(2) Where any decision of a court in Ireland involves the decision of any question as to the validity of any law made by the Irish Parliament, and the decision is not subject to any appeal to the Court of Appeal in Ireland, an appeal shall lie to the Court of Appeal in Ireland by virtue of this section.

(3) If any person is dissatisfied with the decision of the Joint Exchequer Board on the question whether a tax is an independent tax not substantially the same in character as an Imperial tax, that person may petition His Majesty in Council to refer the question to the Judicial Committee of the Privy Council; and, if His Majesty so direct, the question shall be referred to and heard and determined by that Committee as if hearing an appeal from a court in Ireland; and the determination of the Judicial Committee on the question shall have effect with respect to the question decided as if it were the decision of the Joint Exchequer Board.

If any decision of the Joint Exchequer Board under this Act involves a decision with respect to any question of law, any person may petition His Majesty in Council to refer the question of law to the Judicial Committee of the Privy Council, and, if His Majesty so directs, the question of law shall be referred to and heard and determined by that Committee constituted as if hearing an appeal from a court in Ireland; and if the Judicial Committee determine that the point of law has been erroneously decided by the Joint Exchequer Board, they shall report their determination to His Majesty, and, on such a report being made, the Joint Exchequer Board shall reconsider their decision with regard to the determination of the Judicial Committee.

Upon the hearing of any question referred under this subsection, such persons as seem to the Judicial Committee to be interested may be allowed to appear and be heard as parties to the case, and the decision of the Judicial Committee shall be given in like manner as if it were a decision of an appeal, the nature of the report or recommendation to His Majesty being stated in open court.

A petition shall not be entertained under this subsection unless it is presented within six months after the date on which the decision of the Joint Exchequer Board to which the petition relates has been published.

LORD LIEUTENANT.

Office of Lord Lieutenant.

31.—(1) Notwithstanding anything to the contrary in any Act, no subject of His Majesty shall be disqualified to hold the office of Lord Lieutenant of Ireland on account of his religious belief.

(2) The term of office of the Lord Lieutenant shall be six years, without prejudice to the power of His Majesty at any time to revoke the appointment, and with the intent that the continuance in office of the Lord Lieutenant shall not be affected by any change of ministry.

(3) The salary and expenses of the Lord Lieutenant shall be paid out of moneys provided by the Parliament of the United Kingdom, but there shall be deducted from the Transferred Sum in each year, towards the payment of the Lord Lieutenant's salary, a sum of five thousand pounds.

PROVISIONS AS TO EXISTING JUDGES AND IRISH OFFICERS.

Provisions as to existing judges and other persons having salaries charged on the Consolidated Fund.

32.—(1) All existing judges of the Supreme Court, and county court judges, and all existing Irish officers serving in an established capacity in the civil service of the Crown and receiving salaries charged on the Consolidated Fund of the United Kingdom, shall, if at the date of the passing of this Act they are removeable only on address from both Houses of Parliament of the United Kingdom, continue to be removeable only upon such an address, and if removeable in any other manner shall continue to be removeable only in the same manner as before that date; and shall continue to receive the same salaries, gratuities, and pensions, and to enjoy the same rights and privileges, and to be liable to perform the same duties as before that date or such duties as His Majesty may declare to be analogous, and their salaries and pensions shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof, and all sums so paid shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

(2) If any of the said judges or officers retires from office with His Majesty's approbation before completion of the period of service entitling him to a pension, His Majesty may, if he thinks fit, after considering any representation that may be made by the Irish Government, grant to him such pension, not exceeding the pension to which he would on that completion have been entitled, as His Majesty thinks proper.

(3) Subsection (1) of this section shall apply to existing Irish officers in the civil service of the Crown, who, although receiving salaries not charged on the Consolidated Fund, are removeable only for misconduct or incapacity, including officers removeable under section seventy-three of the Supreme Court of Judicature Act (Ireland), 1877: Provided that, in the case

40 & 41 Vict. c. 57.

of any such officer whose salary is payable otherwise than out of money provided by the Parliament of the United Kingdom, the provisions of that subsection with respect to the payment of salaries and pensions out of the Consolidated Fund of the United Kingdom shall not have effect, and in the case of any such officer whose salary is payable out of money provided by the Parliament of the United Kingdom those provisions shall have effect with the substitution of payment out of money so provided for charge on and payment out of the Consolidated Fund of the United Kingdom.

Continuation of service of, and compensation to, existing officers.

33.—(1) Subject to the provisions of this Act, all existing Irish officers in the civil service of the Crown who are not provided for under the last preceding section and are on the appointed day serving as Irish officers shall, after that day, continue to hold their offices by the same tenure and upon the same terms and conditions (including conditions as to salaries and superannuation) as theretofore and shall be liable to perform the same duties as theretofore, or such duties as the Civil Service Committee established under this Act may determine to be analogous, and while performing the same or analogous duties shall receive not less salaries than they would have received if this Act had not passed:

Provided that notwithstanding the provision herein-before contained as to the tenure of existing Irish officers any existing Irish officer who at the time of the passing of this Act is removeable from his office by His Majesty, or by the Chief Secretary, or by any person other than the Lord Lieutenant, or in any special manner, may be removed from his office after the appointed day by the Lord Lieutenant, but, in the case of the existing permanent members of the Congested Districts Board for Ireland, only by an order of the Lord Lieutenant, which shall be laid before each House of the Irish Parliament, and if an address is presented to the Lord Lieutenant by either of those Houses within the next subsequent forty days on which that House has sat after any such order is laid before it praying that the order may be annulled, the Lord Lieutenant may annul the order, and it shall thenceforth be void.

(2) The Superannuation Acts, 1834 to 1909, shall continue after the appointed day to apply to any such existing Irish officer to whom they then apply, and the service of any such officer under the Irish Government shall, for the purpose of those Acts, be deemed to be service in the permanent civil service of the Crown and in a public office within the meaning of the Superannuation Act, 1892:

55 & 56 Vict. c. 40.

Provided that so far as relates to the grant and ascertainment of the amount of any allowance or gratuity under those Acts as respects any such officer who at the time of his ultimate retirement is serving under the Irish Government, the Civil Service Committee shall be substituted for the Treasury.

(3) The provisions as to compensation contained in the Third Schedule to this Act shall apply with respect to any such existing Irish officer.

(4) The superannuation and other allowances and gratuities which may become payable after the appointed day to existing Irish officers in the civil service of the Crown under the Superannuation Acts, 1834 to 1909, and any compensation payable to any such officers under the provisions of this Act, shall be paid out of moneys provided by the Parliament of the United Kingdom, but any sums so paid shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

(5) Where any existing Irish officer in the civil service of the Crown to whom the Superannuation Acts, 1834 to 1909, do not apply is on the appointed day serving as an Irish officer in a capacity which, in accordance with a condition of his employment, qualifies him for a superannuation allowance or gratuity payable otherwise than under those Acts, that condition shall after the appointed day have effect, subject to the following modifications, that is to say, any superannuation allowance or gratuity which may become payable to the officer in accordance with that condition after the appointed day shall, if and so far as the fund out of which such allowances and gratuities are payable at the time of the passing of this Act is by reason of anything done or omitted after the passing of this Act not available for its payment, be charged upon and paid out of the Irish Consolidated Fund, and any powers and duties of the Treasury as to the grant or ascertainment of the amount of the superannuation allowance or gratuity, or otherwise in connexion with the condition, shall be exercised and performed by the Civil Service Committee.

(6) The Pensions Commutation Acts, 1871 to 1882, shall apply to any person to whom an annual allowance is granted in pursuance of the provisions of this Act relating to existing officers as they apply to a person who has retired in consequence of the abolition of his office, and any terminable annuity payable in respect of the commutation of an allowance shall be payable out of the same funds as the allowance.

Establishment of Civil Service Committee.

34.—(1) For the purpose of the provisions of this Act with respect to existing officers there shall be established a committee to be called the Civil Service Committee.

(2) The committee shall consist of three members, of whom one shall be appointed by the Treasury, one by the Executive Committee, and one (who shall be chairman) by the Lord Chief Justice of England.

(3) Any vacancy arising in the committee shall be filled by the authority by whom the member whose place is vacant was appointed.

(4) The committee may act by any two members, and, subject to the provisions of this Act, the committee may regulate their own procedure.

(5) The determination of the Civil Service Committee on any claim or question which is to be determined by them under the provisions of this Act relating to existing officers shall be final and conclusive.

Provisions as to existing pensions and superannuation allowances.

35.—(1) Any pension granted on account of service in Ireland as a judge of the Supreme Court or of any court consolidated into that court, or as a county court judge, or as an Irish officer in an established capacity in the civil service of the Crown, or to any officer or constable of the Dublin Metropolitan Police, or Royal Irish Constabulary, and payable on the appointed day, or in the case of an officer or constable of the Royal Irish Constabulary at the date of transfer, shall be paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof, if charged on that fund at the time of the passing of this Act and out of moneys provided by the Parliament of the United Kingdom if so paid at that time, and shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

(2) Any pension payable on the appointed day and granted on account of service in Ireland as an Irish officer in the civil service of the Crown not serving in an established capacity or as a petty sessions clerk or officer in the registry of petty sessions clerks shall, if and so far as the fund out of which it is payable at the time of the passing of this Act is by reason of anything done or omitted after the passing of this Act not available for its payment, be charged upon and paid out of the Irish Consolidated Fund.

Definition of Irish officer, and provision as to officers in whose case questions may arise, &c.

36.—(1) For the purpose of the provisions of this Act relating to existing officers, any officer shall be deemed to be an Irish officer who is serving or employed in Irish services within the meaning of this Act, and the fact that the salary of an Irish officer is provided in whole or in part out of funds administered by the Government Department in which he serves, or out of an allowance voted for the office expenses of the office in which he is employed, or out of fees, instead of being charged on the Consolidated Fund or paid out of moneys provided by the Parliament of the United Kingdom, shall not prevent that officer being treated as an officer in the civil service of the Crown.

(2) If any question arises whether an officer is an Irish officer as so defined, or otherwise as to any claim or right of an officer under the provisions of this Act relating to existing officers, that question shall be determined by the Civil Service Committee.

(3) If in any case the Civil Service Committee are of opinion that the service or employment of an officer is such that he is partly an Irish officer and partly not, that Committee shall determine any question which arises as respects the proportions in which any allowance, gratuity, or compensation payable

to that officer is to be paid as between the Exchequer or Consolidated Fund of Ireland and of the United Kingdom respectively.

PROVISIONS AS TO MEMBERS OF POLICE.

Continuation of service of, and compensation to, members of police forces.

37.—(1) All officers and constables of the Dublin Metropolitan Police and of the Royal Irish Constabulary who are serving on the day of transfer shall after that day continue to serve on the same terms and conditions as theretofore, and shall be liable to perform the same duties as theretofore, and while so serving shall not receive less salaries than they would have received if this Act had not passed.

(2) Any existing enactments relating to the pay or pensions of officers and constables of the Dublin Metropolitan Police and Royal Irish Constabulary shall continue to apply after the transfer to any officer and constable serving on the day of transfer with the substitution of the Lord Lieutenant for the Treasury and for the Chief Commissioner or Inspector-General as the case requires.

(3) Where any such officer or constable, being qualified under the enactments aforesaid to retire on pension for length of service on or before the day of transfer, continues to serve after that day he shall, on retiring at any subsequent time, be entitled to receive a pension not less in amount than that to which he would have been entitled if he had retired on that day, and his right to receive such pension shall not, while he continues to serve, be liable to forfeiture, except in cases in which a pension when granted is liable to forfeiture under those enactments.

(4) The provisions as to compensation contained in the Fourth Schedule to this Act shall apply with respect to the officers and constables of the Dublin Metropolitan Police and of the Royal Irish Constabulary who are serving on the day of transfer.

(5) Any pensions and other allowances and gratuities which may become payable to officers and constables of the Dublin Metropolitan Police after the appointed day or to officers and constables of the Royal Irish Constabulary after the day of transfer (being in either case officers and constables who are serving on the day of transfer) under the existing enactments applicable to them, and any compensation payable to any of those persons under the provisions of this Act, shall be paid out of moneys provided by the Parliament of the United Kingdom; but any sums so paid shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

(6) The Pensions Commutation Acts, 1871 to 1882, shall apply to any member of the Dublin Metropolitan Police or Royal Irish Constabulary to whom an allowance is granted in pursuance of the provisions of this section in like manner as if he had retired from the permanent Civil Service of the Crown

on the abolition of his office, and any terminable annuity payable in respect of the commutation of an allowance shall be payable out of the same funds as the allowance.

(7) In this section and in the Fourth Schedule to this Act the expression "day of transfer" in relation to the Dublin Metropolitan Police means the appointed day, and in relation to the Royal Irish Constabulary means the day on which the control and management of that force are transferred to the Irish Government.

GENERAL.

Continuation of existing laws, institutions, &c.

38. All existing laws, institutions, and authorities in Ireland, whether judicial, administrative, or ministerial, and all existing taxes in Ireland, shall, except as otherwise provided by this Act, continue as if this Act had not passed, but with the modifications necessary for adapting them to this Act, and subject, as respects matters within the powers of the Irish Parliament under this Act, to repeal, abolition, alteration, and adaptation in the manner and to the extent authorised by this Act.

Use of Crown lands by Irish Government.

39. His Majesty the King in Council may place under the control of the Irish Government, for the purposes of that government, such of the lands, buildings, and property in Ireland vested in or held in trust for His Majesty, and subject to such conditions or restrictions (if any) as may seem expedient.

Arrangements between departments of United Kingdom and Irish departments for exercise of powers and duties.

40. Arrangements may be made by any department of the Government of the United Kingdom for the exercise and performance on behalf of that department of any powers or duties of that department by officers of an Irish department, or by any Irish department for the exercise and performance on behalf of that department of any powers or duties of that department by officers of a department of the Government of the United Kingdom on such terms and conditions as may be agreed :

Provided that no such arrangements shall diminish in any respect the responsibility of the department by which the arrangement is made.

Concurrent legislation.

41.—(1) The Irish Parliament shall not have power to repeal or alter any provision of this Act (except as is specially provided by this Act), or of any Act passed by the Parliament of the United Kingdom after the passing of this Act and extending to Ireland, although that provision deals with a matter with respect to which the Irish Parliament have powers to make laws.

(2) Where any Act of the Irish Parliament deals with any matter with respect to which the Irish Parliament have power to make laws which is dealt with by any Act of the Parliament of the United Kingdom passed after the passing of this Act and extending to Ireland, the Act of the Irish Parliament shall be read subject to the Act of the Parliament of the United

Kingdom, and so far as it is repugnant to that Act, but no further, shall be void:

Provided that nothing in this section shall affect the power of the Irish Parliament to vary an Imperial tax in accordance with this Act, or any variation so made.

(3) Any order, rule, or regulation made in pursuance of, or having the force of, an Act of Parliament of the United Kingdom shall be deemed to be a provision of an Act within the meaning of this section.

Special provisions as to Dublin University, Trinity College, Dublin, and the Queen's University of Belfast.

42. No law made by the Irish Parliament shall have effect so as to alter the constitution, or divert the property of, or repeal or diminish any existing exemption or immunity enjoyed by the University of Dublin, or Trinity College, Dublin, or the Queen's University of Belfast, unless and until the proposed alteration, diversion, repeal, or diminution is approved, in the case of the University of Dublin, or Trinity College, Dublin, by a majority of those present and voting at a meeting of each of the following bodies convened for the purpose, namely: (*a*) the governing body of the college, and (*b*) the junior fellows and professors voting together, and (*c*) the University Council, and (*d*) the Senate; and in the case of the Queen's University of Belfast by a majority of those present and voting at a meeting of each of the following bodies convened for the purpose, namely: (*a*) the Senate, and (*b*) the Academic Council, and (*c*) the Convocation of the University:

Provided that—

(*a*) This section shall not apply to the taking of property (not being land in the occupation of or used in connexion with the College or either of the Universities) for the purpose of roads, railways, lighting, water, or drainage works, or other works of public utility upon payment of compensation; and

(*b*) There shall be paid annually, out of moneys provided by the Irish Parliament, to the Queen's University of Belfast, a sum of eighteen thousand pounds for the general purposes of the University, and that sum if and so far as not so paid shall be deducted on the order of the Joint Exchequer Board from the Transferred Sum and paid to the University; and

(*c*) Until the Joint Exchequer Board certify that the amount standing to the credit of the account of Trinity College under section thirty-nine of the Irish Land Act, 1903, is adequate to afford the indemnity for which provision is made by that section, there shall be paid annually out of moneys provided by the Irish Parliament the sum of five thousand pounds to that account; and that sum, if and so far as not so paid, shall be deducted on the order of the Joint Exchequer Board from the Transferred Sum and paid to that account.

Special provisions as to Freemasons.

43.—(1) It is hereby declared that existing enactments relative to unlawful oaths or unlawful assemblies in Ireland do not apply to the meetings or proceedings of the Grand Lodge of Free and Accepted Masons of Ireland, or of any lodge or society recognised by that Grand Lodge.

(2) The Irish Parliament shall not have power to abrogate or affect prejudicially any privilege or exemption of the Grand Lodge of Freemasons in Ireland, or any lodge or society recognised by that Grand Lodge which is enjoyed either by law or custom at the time of the passing of this Act, and any law made in contravention of this provision shall, so far as it is in contravention of this provision, be void.

Repeal of s. 16 of 21 & 22 G. 3. c. 11. Irish.

44. The powers conferred in the sixteenth section of the Act passed by the Irish Parliament in the session held in the twenty-first and twenty-second years of the reign of George the Third, chapter eleven, intituled, "An Act for the better securing the liberty of the subject," shall not be exercised, and that section is hereby repealed.

First election of reduced number of Irish members and application of election laws.

45.—(1) Upon the first meeting of the Irish Parliament, the members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom and then sitting in that Parliament shall vacate their seats, and writs shall, as soon as conveniently may be, be issued by the Lord Chancellor of Ireland for the purpose of holding an election of members to serve in the Parliament of the United Kingdom for the constituencies mentioned in the Second Part of the First Schedule to this Act.

(2) All existing election laws relating to the Commons House of Parliament of the United Kingdom and the members thereof shall, so far as applicable and subject to the provisions of this Act, and especially to any provision enabling the Irish Parliament to alter those laws as respects the Irish House of Commons, extend to the Irish Senate and the Irish House of Commons and the members thereof.

His Majesty may by Order in Council make such provisions as may appear to him necessary or proper for making any provisions of the election laws applicable to elections of members of the Irish Senate and the Irish House of Commons, and also frame regulations prescribing the method of voting at an election of members of the Irish House of Commons, which is held on the principle of proportional representation, and of transferring and counting votes at such an election.

Temporary provision as to payments into and out of the Irish Exchequer.

46.—(1) Pending the determination of the Transferred Sum by the Joint Exchequer Board for the first year in which the Transferred Sum is to be paid, the Treasury may make such payments on account of that sum into the Irish Exchequer as the Joint Exchequer Board may direct.

(2) The Joint Exchequer Board may authorise the Lord Lieutenant to make such payments from the Irish Exchequer as

may be necessary in order to provide for bringing this Act into operation, but no such authority shall be given after the expiration of a period of three months from the first meeting of the Irish Parliament.

Power to make Irish Transfer Orders in Council.

47. His Majesty may by Orders in Council (in this Act referred to as Irish Transfer Orders) make such regulations as seem necessary or proper for setting in motion the Irish Parliament and Government, and also for any other matter for which it seems to His Majesty necessary or proper to make provision for the purpose of bringing this Act into full operation or for giving full effect to any provisions of this Act or to any future transfer under or by virtue of this Act of a reserved service; and in particular His Majesty may by any such Order in Council—

(*a*) make such adaptations of any enactments so far as they relate to Ireland as may appear to him necessary or proper in order to give effect to the provisions of this Act, and also make any adaptations of any enactments so far as they relate to England or Scotland, as may appear to him necessary or proper as a consequence of any change effected by the provisions of this Act; and

(*b*) make such adaptation of any enactments as appear to him necessary or proper with respect to the execution of the reserved services, and in particular provide for the exercise or performance of any powers or duties in connexion with those services by any department of the Government of the United Kingdom or officer of that Government where any such powers or duties are, under any existing Act, to be exercised or performed by any department in Ireland which will cease to exist as a department of the Government of the United Kingdom; and

(*c*) make regulations with respect to the relations of the Irish and British Post Offices, and in particular may provide for an apportionment of the capital liabilities of the Post Office between the Irish Exchequer and the Exchequer of the United Kingdom, for the execution of postal services by the one Post Office at the request of and on behalf of the other, and for the terms and conditions under which the services are to be so executed, for facilities being given in connexion with any such postal services at the request of one Post Office by the other, for requiring the sanction of the British Post Office for the grant of any licence by the Irish Post Office for wireless telegraphy stations for internal communications in Ireland, and for the reservation of power to His Majesty by Order in Council to transfer in time of war or national emergency the powers or duties of the Irish Post

Office to the British Post Office, or to the naval or military authorities of the United Kingdom; and

(*d*) on any transfer under this Act of the public services in connexion with the administration of the Old Age Pensions Acts, 1908 and 1911, make provision for securing the payment of an old age pension to any person who is entitled to the payment of such a pension at the time of the transfer, while he continues so entitled; and

(*e*) on the transfer under this Act of public services in connexion with Post Office Savings Banks, or Trustee Savings Banks, make provisions for giving a depositor in any transferred Post Office Savings Bank the right to repayment of any sums due to him in respect of his deposits at the time of the transfer, and for giving the trustees of any Trustee Savings Bank in Ireland the right to close their bank and to require repayment of all sums due to them from the National Debt Commissioners, and for securing to the holder of any annuity or policy of insurance granted before the date of the transfer by a Post Office or Trustee Savings Bank the payment of the annuity or of any sums due under the policy; and

(*f*) make provision with respect to the transfer and apportionment of any property, rights, and liabilities in connexion with Irish services, and for the proper reductions being made in the payment of the Transferred Sum for the first year in which it is paid in respect of any part of that year during which any Irish service is not executed by the Irish Government; and

(*g*) provide, in cases where the same Act deals with reserved matters and with other matters, for specifying the matters dealt with by the Act which are to be treated in accordance with this Act as reserved matters.

Irish Transfer Orders to be laid before Parliament.

48.—(1) Any Irish Transfer Order in Council made under this Act shall be laid before both Houses of the Parliament of the United Kingdom within forty days next after it is made if Parliament is then sitting, or if not, within forty days after the commencement of the then next ensuing session; and if an address is presented to His Majesty by either of those Houses within the next subsequent twenty-one days on which that House has sat next after any such order is laid before it praying that any such Order may be annulled, His Majesty may thereupon by Order in Council annul the same, and the Order so annulled shall forthwith become void, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the Order.

(2) Any Irish Transfer Order in Council made under this Act shall, subject to the foregoing provisions of this section, have effect as if enacted in this Act.

Commencement of Act and appointed day.

49. This Act shall, except as expressly provided, come into operation on the appointed day, and the appointed day for the purposes of this Act shall be the first Tuesday in the eighth month after the month in which this Act is passed, or such other day not more than seven months earlier or later, as may be fixed by Order of His Majesty in Council either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and different provisions of this Act, but the Irish Parliament shall be summoned to meet not later than four months after the said Tuesday, and the appointed day for holding elections for the Irish House of Commons shall be fixed accordingly.

SUPPLEMENTAL.

Definitions.

50. In this Act, unless the context otherwise requires—

The expression "existing" means existing at the passing of this Act:

The expression "constituency" means a parliamentary constituency, or a county, borough, or university returning a member or members to serve in the Irish House of Commons as the case requires, and the expression "parliamentary constituency" means any county, borough, or university returning a member or members to serve in the Parliament of the United Kingdom:

The expression "parliamentary elector" means a person entitled to be registered as a voter at a parliamentary election:

The expression "parliamentary election" means the election of a member to serve in the Parliament of the United Kingdom:

The expression "election laws" means the laws relating to the election of members to serve in the Parliament of the United Kingdom, other than those relating to the qualification of electors, and includes all the laws respecting the registration of electors, the issue and execution of writs, the creation of polling districts, the taking of the poll, the questioning of elections, corrupt and illegal practices, the oath, qualification and disqualification of members, and the vacating of seats:

The expression "tax" includes duties (other than duties of postage) and fees (other than fees which are charged in respect of any special Irish service, and the receipts from which are, in the opinion of the Joint Exchequer Board, of a character to be properly treated as appropriations in aid):

For the purposes of this Act duties on a raw material and on articles produced, prepared, or manufactured from that material, and any group of duties fixed in

relation to some common basis, shall be deemed to be correlated duties.

The levy of an Imperial tax in Ireland includes, where the variation of the tax by the Irish Parliament affects persons resident or domiciled in Ireland, or the property of any person so resident or domiciled, the levy of the tax on or in respect of such persons or such property.

The expression "postal service" includes any telegraphic and telephonic service, and the issue, transmission, and payment of Post Office money orders and postal orders; and the expression "postal communication" includes telegraphic and telephonic communication:

The expression "Irish Act" means a law made by the Irish Parliament:

The expression "Irish Treasury" means the Irish department or officer, by whatever name called, for the time being entrusted with the administration of Irish finance:

The expression "salary" includes remuneration, allowances, and emoluments:

The expression "pension" includes superannuation allowance, and in relation to a constable of the Royal Irish Constabulary or Dublin Metropolitan Police includes a pension or gratuity payable to the widow or children of a constable:

The expression "office" includes any place, situation, or employment, and the expression "officer" shall be construed accordingly:

The expression "officer" in relation to the Royal Irish Constabulary includes the Inspector-General, the Deputy-Inspector-General, an Assistant-Inspector-General, the Assistant-Inspector-General-Commandant of the Depôt, the Town Inspector at Belfast, a County Inspector, a surgeon, a storekeeper and barrack-master, the veterinary surgeon, and a district inspector, and in relation to the Dublin Metropolitan Police, includes the Chief Commissioner and Assistant-Commissioner:

The expression "constable" in relation to the Royal Irish Constabulary includes the head-constable-major, a head-constable, sergeant, acting sergeant, and constable; and in relation to the Dublin Metropolitan Police includes every member of that force not being of higher rank than chief superintendent, and not being a member of the clerical staff only:

The expression "Royal Irish Constabulary" includes the reserve force of that body.

51. This Act may be cited as the Government of Ireland Act, 1914. Short title.

SCHEDULES.

Sections 8 (1), 9 (1), 13 (1), 45 (1).

FIRST SCHEDULE.

PART I.

IRISH HOUSE OF COMMONS.

CONSTITUENCIES AND NUMBER OF MEMBERS.

Boroughs.

Constituency.	Number of Members.
Dublin:—	
College Green	3
Harbour	3
St. Stephen's Green	2
St. Patrick's	3
Belfast:—	
East	5
South	3
West	2
North	4
Londonderry	2
Cork	4
Limerick	2
Waterford	1
Totals (Boroughs)	34

Counties.

ULSTER.

Constituency.	Number of Members.
Antrim County:	
North Antrim	2
Mid Antrim	2
East Antrim	2
South Antrim	2
Armagh County:	
North Armagh	2
Mid Armagh	1
South Armagh (including that part of Newry which is situated in Armagh County).	1
Cavan County:	
West Cavan	2
East Cavan	2
Donegal County:	
North Donegal	2
West Donegal	2
East Donegal	1
South Donegal	2
Down County:	
North Down	2
East Down	2
West Down	2
South Down (including that part of Newry which is situated in Down County).	2
Fermanagh County:	
North Fermanagh	1
South Fermanagh	1
Londonderry County:	
North Londonderry	2
South Londonderry	2
Monaghan County:	
North Monaghan	1
South Monaghan	1
Tyrone County:	
North Tyrone	1
Mid Tyrone	1
East Tyrone	1
South Tyrone	1
Totals (Ulster Counties)	43

LEINSTER.

Constituency.	Number of Members.
Carlow County	1
Dublin County:	
North Dublin	3
South Dublin	3
Kildare County:	
North Kildare	1
South Kildare	1
Kilkenny County:	
North Kilkenny (including the borough of Kilkenny).	2
South Kilkenny	1
King's County:	
Birr	1
Tullamore	1
Longford County:	
North Longford	1
South Longford	1
Louth County:	
North Louth	1
South Louth	1
Meath County:	
North Meath	1
South Meath	1
Queen's County:	
Ossory	1
Leix	1
Westmeath County:	
North Westmeath	1
South Westmeath	1
Wexford County:	
North Wexford	2
South Wexford	2
Wicklow County:	
West Wicklow	1
East Wicklow	1
Totals (Leinster Counties)	30

MUNSTER.

Constituency.	Number of Members.
Clare County:	
East Clare	2
West Clare	2
Cork County:	
North Cork	2
North-East Cork	2
Mid Cork	2
East Cork	2
West Cork	1
South Cork	1
South-East Cork	1
Kerry County:	
North Kerry	1
West Kerry	2
South Kerry	1
East Kerry	1
Limerick County:	
West Limerick	2
East Limerick	2
Tipperary County:	
North Tipperary	1
Mid Tipperary	1
South Tipperary	1
East Tipperary	1
Waterford County:	
West Waterford	1
East Waterford	1
Totals (Munster Counties)	30

CONNAUGHT.

Constituency.	Number of Members.
Galway County:	
Connemara	2
North Galway	2
East Galway	2
South Galway (including the borough of Galway).	2
Leitrim County:	
North Leitrim	1
South Leitrim	1
Mayo County:	
North Mayo	2
West Mayo	2
East Mayo	2
South Mayo	2
Roscommon County:	
North Roscommon	2
South Roscommon	2
Sligo County:	
North Sligo	2
South Sligo	1
Totals (Connaught Counties)	25

UNIVERSITIES.

Dublin University	2

TOTAL OF BOROUGH, COUNTY AND UNIVERSITY MEMBERS:—

Borough members	34
County members	128
University members	2
Total Members	164

Part II.

Representation of Ireland in the House of Commons of the United Kingdom.

Constituencies and Number of Members.

Boroughs.

Constituency.	Number of Members.
Dublin	3
Belfast	4
Cork	1
Totals (Boroughs)	8

Counties.

Ulster.

Antrim	2
Armagh (including that part of Newry which is situated in Armagh County).	1
Cavan	1
Donegal	2
Fermanagh	
Londonderry (including the borough of Londonderry).	1
Monaghan	2
Tyrone	
Down (including that part of Newry which is situated in Down County).	2
Totals (Ulster Counties)	11

Leinster.

Dublin	2
King's County	1
Queen's County	
Kildare	1
Wicklow	
Wexford	1
Carlow	1
Kilkenny (including Borough of Kilkenny)	
Longford	1
Westmeath	
Louth	1
Meath	
Totals (Leinster Counties)	8

Munster.

Constituency.	Number of Members.
Clare	1
East Limerick Borough of Limerick	1
Kerry West Limerick	2
Cork, East Cork, North-east Waterford, West	1
The remaining five Divisions of Cork	2
Tipperary, East Waterford, East Borough of Waterford	1
The remaining three Divisions of Tipperary	1
Totals (Munster Counties)	9

Connaught.

Galway (including Galway Borough)	2
North Mayo West Mayo	1
South Mayo South Roscommon	1
East Mayo Sligo	1
Leitrim North Roscommon	1
Totals (Connaught Counties)	6

Total of Borough and County Members:—

Borough members	8
County members	34
Total members	42

Part III.

Election of Senators.

Constituency.	Number of Members.
The Province of Ulster	14
„ „ Leinster	11
„ „ Munster	9
„ „ Connaught	6
Total	40

SECOND SCHEDULE.

Section 15 (1) (*e*).

Stamp Duties which may not be altered by the Irish Parliament.

Duties on the following instruments :—

Marketable securities.

Share warrants and stock certificates to bearer (including instruments to bearer on which duty is charged by virtue of subsection (2) of section four or section five or section six of the Finance Act, 1899).

62 & 63 Vict c. 9.

Transfers of stocks, shares and marketable securities (including composition for duty on any such transfers).

Bills of Exchange and promissory notes.

Contract notes.

Letters of allotment, letters of renunciation, and scrip certificates.

Statements as to amount of capital of corporations or companies with limited liability, and as to amount of capital contributed by limited partner.

Statements as to amount proposed to be secured by issue of loan capital.

Mortgages to secure debenture stock.

Policies of insurance.

THIRD SCHEDULE.

Section 33 (3).

Provisions as to Compensation of Existing Irish Officers.

1.—(1) If any existing Irish officer who is serving in the civil service of the Crown in an established capacity or who though not so serving in an established capacity devotes his whole time to the duties of his office—

(*a*) retires under the conditions herein-after defined as the statutory conditions of retirement ; or

(*b*) retires with the permission of the Civil Service Committee given in accordance with this Act ; or

(*c*) is removed from office by the Irish Government before he attains the age of sixty-five years for any cause other than misconduct or incapacity, or required to retire by the Irish Government before he attains that age for any cause other than as aforesaid ;

he shall be entitled to receive such compensation as the Civil Service Committee may award to him in accordance with the provisions of Part I. of the Rules contained in this Schedule if he is serving in an established capacity, and in accordance with the provisions of Part II. of the Rules contained in this Schedule, if though not serving in an established capacity he devotes his whole time to the duties of his office.

(2) If any existing Irish officer who is serving in the civil service of the Crown not being an officer who is serving in an established

capacity, or an officer who though not serving in an established capacity devotes his whole time to the duties of his office, is removed from office or required to retire by the Irish Government for any cause other than misconduct or incapacity, he shall be entitled to receive such compensation as the Civil Service Committee may award to him in accordance with the provisions of Part II. of the Rules contained in this Schedule.

(3) The compensation of an officer serving in an established capacity who has previously served in a non-established capacity may be determined in accordance with the provisions of Part II. instead of the provisions of Part I. of the Rules contained in this Schedule, if he so requires, and in that case the limit of the compensation shall be the amount of compensation which might have been awarded if his whole service had been service in an established capacity, and the compensation of an officer not serving in an established capacity may be determined in accordance with the provisions of Part I. instead of the provisions of Part II. of those Rules if the Civil Service Committee are satisfied that he serves in a capacity which under a condition of his employment qualifies him for a superannuation allowance or gratuity on terms not less advantageous than if he served in an established capacity, and accordingly in the application to him of the provisions of Part I. of those Rules references to that condition shall, where the context so requires, be substituted for references to the Superannuation Acts, 1834 to 1909.

2. For the purposes of this Act, the statutory conditions of retirement are that—

(*a*) Retirement must take place within a period of five years from the appointed day (in this Schedule referred to as the transitional period);

(*b*) Notice of the intention to retire must be given in accordance with Regulations made by the Civil Service Committee;

(*c*) The retirement must not take place until at least six months after the notice of retirement has been given, and may be postponed by the Civil Service Committee, if they think fit, to any later date within the transitional period; and

(*d*) The retiring officer must show to the satisfaction of the Civil Service Committee that he is not incapacitated by mental or bodily infirmity for the performance of his duties and that he will not attain the age of sixty-five years before the end of the transitional period.

3. The Civil Service Committee shall not give their permission under this Act to an officer to retire unless that officer shows to the satisfaction of the Committee—

(*a*) that the duties which he is required to perform are neither the same as nor analogous to the duties theretofore performed by him or are an unreasonable addition to those duties; or

(*b*) that owing to changes made after the end of the transitional period in the conditions of his employment, his position has been materially altered to his detriment.

4.—(1) For the purpose of the provisions of this Act as to existing officers, petty sessions clerks and officers in the Registry of Petty Sessions Clerks shall be deemed to be officers in the civil service of the Crown, and in the case of officers in the Registry of Petty Sessions Clerks to be officers serving in an established capacity.

This provision shall apply to the pensionable assistants of the petty sessions clerks at Cork and Belfast as it applies to the petty sessions clerks.

5. In this Schedule references to the Irish Government shall include references to any department or officer of the Irish Government.

Rules—Part I.

Officers serving in the Civil Service of the Crown in an established Capacity.

A.—On Retirement under the Statutory Conditions of Retirement.

1. The compensation which may be awarded to the officer shall be an annual allowance, not exceeding in any case two-thirds of the salary on which the allowance is reckoned, or, if he has completed less than ten years of service as reckoned for the purposes of this provision, a gratuity.

2. The annual allowance or gratuity shall be calculated in like manner as the superannuation allowance or gratuity which the officer would be qualified to receive under the Superannuation Acts, 1834 to 1909, if he retired on the ground of ill-health, save that for the purposes of that calculation, the following provisions shall have effect, that is to say :—

(*a*) His years of service shall be reckoned as if he had served up to the end of the transitional period, and there shall be added any additional years which he may be entitled to reckon under section four of the Superannuation Act, 1859 :

(*b*) His salary, where there are periodical increments, shall be taken at the amount which it would have reached if he had continued to serve in the same office up to the end of the transitional period.

B.—On retirement with the permission of the Civil Service Committee under this Act or on being removed from office or required to retire by the Irish Government before attaining the age of sixty-five years for any cause other than misconduct or incapacity.

1. The compensation which may be awarded to the officer shall be an annual allowance not exceeding in any case two-thirds of the salary on which the allowance is reckoned.

2. The annual allowance shall be calculated in like manner as the superannuation allowance which the officer would be qualified to receive under the Superannuation Acts, 1834 to 1909, if he retired on the ground of ill-health, save that for the purposes of such calculation, the following provisions shall have effect, that is to say :—

(*a*) Where the officer retires or is removed after the end of the transitional period, ten years shall be added as abolition years to the years of service which he would be entitled to reckon for the purposes of such superannuation allowance :

(*b*) Where the officer retires or is removed during the transitional period his years of service shall be reckoned, and the amount of his salary shall be computed in the same manner as is provided in this Part of these Rules in the case of an officer

retiring under the statutory conditions of retirement, and ten years shall be added as abolition years to the years of service so reckoned :

Provided that—

(i) Where an officer at the time of leaving the service has attained the age of twenty-eight years but has not attained the age of thirty-three years, the abolition years to be added for the purpose of this article shall be seven years instead of ten, and where an officer at the time of leaving the service has not attained the age of twenty-eight years, or where, whatever his age, his years of service as reckoned for the purposes of this article, exclusive of the abolition years, are less than ten, the abolition years to be added for those purposes shall be five years instead of ten ; and

(ii) No abolition years shall be added in excess of the difference between the age of an officer at the time of his leaving the service and the age of sixty-five.

C.—Officers to whom the Superannuation Act, 1909, *applies.*

1. An officer to whom the Superannuation Act, 1909, applies by reason only of his having elected to adopt the provisions of that Act shall, if he so requires, be treated for the purpose of the determination of his compensation under this Schedule as if he had not so elected.

2. As respects any such officer who does not require his compensation to be determined as aforesaid, and any other officer to whom the Superannuation Act, 1909, applies, the provisions contained in Heads A. and B. of this Part of these Rules shall have effect subject to the following modifications, that is to say :

(*a*) The annual allowance or gratuity awarded to the officer shall be calculated on the proportion of salary prescribed by subsection (1) of section one of the Superannuation Act, 1909, instead of the proportion prescribed by section two of the Superannuation Act, 1859, and the annual allowance which may be awarded to the officer shall not in any case exceed one-half of the salary on which the allowance is calculated :

(*b*) In addition to the annual allowance or gratuity there may be awarded to the officer an additional allowance calculated in like manner as an additional allowance under the Superannuation Act, 1909, and for the purposes of that calculation his years of service and salary shall be reckoned and computed as in the case of his annual allowance or gratuity, but the additional allowance so awarded shall not exceed one and a half times the amount of the salary on which the allowance is calculated, except in the case of an officer to whom the Superannuation Act, 1909, applies by reason of his having elected to adopt its provisions, and then only to the extent specified in section three of that Act.

Rules—Part II.

Officers serving in the Civil Service of the Crown who are not serving in an established Capacity.

1. The compensation which may be awarded to the officer shall be such gratuity or annual allowance (if any) as the Civil Service Committee

think just having regard to the following considerations, that is to say :—

(*a*) The conditions on which the officer was appointed ;

(*b*) The nature and duration of his employment ;

(*c*) In the case of officers who do not devote their whole time to the duties of their office, the amount of time so devoted ;

(*d*) The circumstances in which he is leaving the service ;

(*e*) The compensation which might have been awarded to him on leaving the service in similar circumstances if Part I. of these Rules had applied to him ;

(*f*) Any offer made to him of another office or employment under the Irish Government ;

(*g*) The probability (if any) of his having continued in office for a longer period but for the passing of this Act ; and

(*h*) any other circumstances affecting his case.

2. The compensation shall in every case be less than the compensation which might under Part I. of these Rules have been awarded to the officer on leaving the service in similar circumstances if that Part of these Rules had applied to him.

FOURTH SCHEDULE.

Section 37 (4) (7).

Provision as to Compensation of Members of the Royal Irish Constabulary and Dublin Metropolitan Police.

1. Any officer or constable who after the day of transfer—

(*a*) retires voluntarily under the conditions in that behalf hereinafter contained ; or

(*b*) is required to retire for any cause other than misconduct, and is not incapacitated for the performance of his duty by mental or bodily infirmity, shall, unless he is qualified for the maximum pension that can be granted to him for length of service only under the existing enactments applicable to him, be entitled on retirement to receive such compensation as may be awarded to him by the Lord Lieutenant in accordance with the Rules contained in this Schedule.

2. The conditions of voluntary retirement are that—

(*a*) Notice of the intention to retire must be given within one year after the day of transfer ;

(*b*) The notice must be given in manner prescribed by the Lord Lieutenant ;

(*c*) The retirement must not take place until at least six months after the notice of retirement has been given, and may be

postponed by the Lord Lieutenant, if he thinks fit, to any later date not being more than two years after the day of transfer ; and

(*d*) The retiring officer or constable must show to the satisfaction of the Lord Lieutenant that he is not incapacitated for the performance of his duties by mental or bodily infirmity and will not be entitled to retire on the maximum pension for length of service under the enactments aforesaid before the expiration of two years from the date of transfer, and that he joined the force before the passing of this Act.

RULES.

1. The compensation which may be awarded to an officer or constable shall be an annual allowance.

2. Where the officer or constable is required to retire the annual allowance shall be calculated in like manner as the pension which the officer or constable would have been entitled to receive if he had retired for length of service under the existing enactments applicable to him and had been qualified in respect of his length of service for a pension, save that for the purposes of that calculation the following provisions shall have effect :—

(*a*) There shall be added to his completed years of actual service, if the proportion of salary on which his allowance is calculated is one-fiftieth, ten years, and if that proportion is one-sixtieth, twelve years ;

(*b*) His salary shall be taken at the amount which it would have reached if he had continued to serve in the same rank for the number of years so added, and in the case of a district inspector of the Royal Irish Constabulary of the third class as if he were entitled to promotion to the second class on the completion of one and a half years' service in the third class, and, in the case of a district inspector of the Royal Irish Constabulary of the second class, as if he were entitled to promotion to the first class on the completion of eleven years' service in the second class ;

(*c*) If the number of his completed years of service, as reckoned under this Rule, is less than the minimum number of years of service for which provision as respects pensions is made in the appropriate pension scale that scale shall apply with the substitution of the number of his completed years of service as so reckoned for that minimum number ; and

(*d*) If he has, in addition to his completed years of actual service, served for a period exceeding six months, his service for that period shall be reckoned as a completed year of actual service.

3. Where the officer or constable retires under the conditions of voluntary retirement the provisions of the last preceding Rule shall apply with the substitution of five years for ten years and six years for twelve years.

4. The allowance awarded to an officer or constable shall in no case exceed two-thirds of his actual pensionable salary.

5. In the event of a constable dying within one year after an annual allowance has been awarded to him under this Schedule, the Lord Lieutenant may, if he thinks fit, grant a gratuity to the widow or children of the constable in like manner as if the allowance were a pension granted to the constable on retirement.

CHAPTER 91.

An Act to terminate the establishment of the Church of England in Wales and Monmouthshire, and to make provision in respect of the Temporalities thereof, and for other purposes in connection with the matters aforesaid. [18th September 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Commons, in this present Parliament assembled, in accordance with the provisions of the Parliament Act, 1911, and by authority of the same, as follows:

Part I.

Disestablishment and Vesting and Distribution of Property.

Disestablishment.

Disestablishment and prohibition of future appointments.

1. On the day after the expiration of six months, or such extended period as His Majesty may fix by Order in Council, not being more than twelve months, after the passing of this Act (in this Act referred to as the date of disestablishment), the Church of England, so far as it extends to and exists in Wales and Monmouthshire (in this Act referred to as the Church in Wales), shall cease to be established by law, and, save as by this Act provided, no person shall, after the passing of this Act, be appointed or nominated by His Majesty or any person, by virtue of any existing right of patronage, to any ecclesiastical office in the Church in Wales.

Ecclesiastical corporations and bishops.

2.—(1) On the date of disestablishment every cathedral and ecclesiastical corporation in the Church in Wales, whether sole or aggregate, shall be dissolved.

(2) On and after the date of disestablishment no bishop of the Church in Wales shall as such be summoned to or be qualified to sit or vote as a Lord of Parliament; but save as aforesaid every person who is at the passing of this Act a bishop, dean, canon, or archdeacon of or the holder of any ecclesiastical office in the Church in Wales, shall during his life enjoy the same title and precedence as if this Act had not passed.

(3) Writs of summons shall be issued to bishops not disqualified by this enactment for sitting in the House of Lords as if the bishops so disqualified had vacated their sees.

(4) On and after the date of disestablishment no person shall be disqualified or liable to any penalty for sitting or voting in the House of Commons by reason of having been ordained to the office of priest or deacon if the ecclesiastical office he holds is an ecclesiastical office in the Church in Wales, or, if he does not hold any ecclesiastical office, if the last ecclesiastical office which he held was an ecclesiastical office in the Church in Wales.

Ecclesiastical law and courts.

3.—(1) As from the date of disestablishment ecclesiastical courts and persons in Wales and Monmouthshire shall cease to exercise any jurisdiction, and the ecclesiastical law of the Church in Wales shall cease to exist as law.

(2) As from the same date the then existing ecclesiastical law and the then existing articles, doctrines, rites, rules, discipline, and ordinances of the Church of England shall, with and subject to such modification or alteration, if any, as after the passing of this Act may be duly made therein, according to the constitution and regulations for the time being of the Church in Wales, be binding on the members for the time being of the Church in Wales in the same manner as if they had mutually agreed to be so bound, and shall be capable of being enforced in the temporal courts in relation to any property which by virtue of this Act is held on behalf of the said Church or any members thereof, in the same manner and to the same extent as if such property had been expressly assured upon trust to be held on behalf of persons who should be so bound:

Provided that no alteration in the articles, doctrines, rites, or, save so far as may be rendered necessary by the passing of this Act, in the formularies of the Church in Wales, shall be so far binding on any ecclesiastical person having any existing interest saved by this Act, as to deprive him of that interest, if he, within one month after the making of the alteration, signifies in writing to the representative body herein-after mentioned his dissent therefrom.

(3) The said constitution and regulations of the Church in Wales may, notwithstanding anything in this section, provide for the establishment for the Church in Wales of ecclesiastical courts, and, if the Archbishop of Canterbury consents, for appeals from any of the courts so established being heard and determined by the provincial court of the Archbishop, and the Archbishop may, with the approval of His Majesty in Council, give such consent, but no such courts shall exercise any coercive jurisdiction and no appeal shall lie from any such court to His Majesty in Council.

(4) The power of making by such constitution and regulations alterations and modifications in ecclesiastical law shall include the power of altering and modifying such law so far as it is embodied in the Church Discipline Act, 1840, the Public Worship Regulation Act, 1874, the Clergy Discipline Act, 1892, or the Ecclesiastical Dilapidations Acts, 1871 and 1872, or any other Act of Parliament. 3 & 4 Vict. c. 86. 37 & 38 Vict. c. 85. 55 & 56 Vict. c. 32.

(5) As from the date of disestablishment the bishops and clergy of the Church in Wales shall cease to be members of or be represented in the Houses of Convocation of the Province of Canterbury, but nothing in this Act shall affect the powers of those Houses so far as they relate to matters outside Wales and Monmouthshire. 34 & 35 Vict. c. 43. 35 & 36 Vict. c. 96.

Vesting of Property.

Vesting of property.

4.—(1) As from the date of disestablishment there shall, save as by this section provided, vest in the Welsh Commissioners herein-after mentioned—

(*a*) all property vested in the Ecclesiastical Commissioners or Queen Anne's Bounty, which is ascertained as herein-after mentioned to be Welsh ecclesiastical property; and

(*b*) all property not so vested, and not consisting of charges on the common fund of the Ecclesiastical Commissioners, which, at the passing of this Act, belongs to or is appropriated to the use of any ecclesiastical office or cathedral corporation in the Church in Wales, or the holder of any such office as such;

subject, in the case of all such property, to all tenancies, charges, and incumbrances, and to all rights and interests saved by this Act, affecting the property.

(2) All plate, furniture, and other moveable chattels belonging to any church affected by this Act, or used in connexion with the celebration of Divine worship therein, not being the property of a private individual, shall vest in the representative body herein-after mentioned if and when incorporated:

Provided that if such a body is not incorporated at the date of disestablishment all such moveable chattels as aforesaid shall, until the incorporation of such a body, remain vested in the same persons and be applicable to the same purposes as before the date of disestablishment.

Apportionment of property by Ecclesiastical Commissioners and Queen Anne's Bounty.

5.—(1) The Ecclesiastical Commissioners shall, as soon as may be after the passing of this Act and before the date of disestablishment, ascertain and by order declare what property vested in them at the passing of this Act, or under the provisions herein-after in this section contained, consists of property of either of the classes or descriptions mentioned in Part I. of the First Schedule to this Act, and property so ascertained and declared shall, subject to the adjustments made in accordance

with Part II. of the same schedule, and to such alterations therein as may be made between the passing of this Act and the date of disestablishment, be Welsh ecclesiastical property within the meaning of this Act.

(2) Queen Anne's Bounty shall as soon as may be after the passing of this Act, and before the date of disestablishment, ascertain and by order declare what property vested in them at the passing of this Act, or under the provisions herein-after in this section contained, is property of the class or description mentioned in the Second Schedule to this Act, and all property so ascertained and declared shall, subject to such alterations therein and additions thereto as may be made between the passing of this Act and the date of disestablishment, be Welsh ecclesiastical property within the meaning of this Act, and the order shall distinguish between the property derived from grants made by Queen Anne's Bounty out of the Royal Bounty Fund or moneys provided by Parliament and property derived from other sources.

(3) There shall as from the passing of this Act become vested in the Ecclesiastical Commissioners and Queen Anne's Bounty respectively all property (other than ecclesiastical residences) belonging to or appropriated to the use of any ecclesiastical office or cathedral corporation in the Church in Wales, or the holder of any such office as such, towards the purchase of which grants made by the Ecclesiastical Commissioners and Queen Anne's Bounty respectively have been applied; but such vesting shall not affect any beneficial interest in any such property.

(4) Orders of the Ecclesiastical Commissioners and Queen Anne's Bounty under this section and the schedules therein referred to shall be made with the concurrence of the Welsh Commissioners, or, in default of such concurrence, with the approval of His Majesty the King in Council given on the advice of the Judicial Committee of the Privy Council.

Powers and liabilities of Ecclesiastical Commissioners and Queen Anne's Bounty after disestablishment.

6. As from the date of disestablishment, any liability or power of the Ecclesiastical Commissioners or Queen Anne's Bounty to make payments for any ecclesiastical purpose in or connected with the Church in Wales shall cease:

Provided that—

(*a*) they shall continue to make such payments as are required for the purpose of preserving any existing interests; and

(*b*) nothing in this Act shall prevent them from carrying into effect any contract made before the passing of this Act for the sale or purchase of any property affected by this Act or otherwise in relation to any such property, or from making any payments which under this Act they are required or authorised to make; and

(*c*) it shall be lawful for the Ecclesiastical Commissioners and Queen Anne's Bounty, if they think fit, within one year after the date of disestablishment, to transfer to the representative body the whole or any part of the property specified in Part I. and Part II. respectively of the Third Schedule to this Act, and for the Ecclesiastical Commissioners to charge their common fund with the payment to the representative body of a perpetual annuity not exceeding the annual value of the property mentioned in Part III. of the Third Schedule to this Act, subject to the payment thereout by the representative body of such sums as may be required for preserving existing interests in any such property; and

(*d*) it shall be lawful for the Ecclesiastical Commissioners and Queen Anne's Bounty in any year after the date of the disestablishment to pay to the representative body such sum (if any) as they think fit, so, however, that, in the case of the Ecclesiastical Commissioners, the sum paid in any year shall not exceed the sum mentioned in Part IV. of the Third Schedule to this Act.

Private benefactions.

7.—(1) Any property which consists of, or is the produce of, or is or has been derived from, property given by any person out of his private resources since the year sixteen hundred and sixty-two, or money raised by voluntary subscriptions since that year, or voluntarily given since that year out of funds not liable under any statutory provision to be applied to ecclesiastical purposes, or which is the produce of, or is or has been derived from the proceeds of sale of advowsons sold under the Lord Chancellor's Augmentation Act, and applied for the augmentation of any livings in Wales or Monmouthshire, shall, for the purposes of this Act, be deemed to be a private benefaction.

26 & 27 Vict. c. 120.

(2) Where, in the case of any property given or money raised since the year sixteen hundred and sixty-two, the source from which such property or money was derived is unknown, it shall be deemed to be a private benefaction within the meaning of this Act.

(3) The Ecclesiastical Commissioners and Queen Anne's Bounty as respects any property transferred from them respectively, and the Welsh Commissioners as respects any other property vested in them by this Act, shall as soon as may be after the passing of this Act ascertain and by order declare what part of the property constitutes private benefactions within the meaning of this Act.

(4) Orders of the Ecclesiastical Commissioners and Queen Anne's Bounty under this section shall be made with the concurrence of the Welsh Commissioners, and every such order of the Welsh Commissioners under this section as relates to a benefice with respect to which the Ecclesiastical Commissioners or

Queen Anne's bounty have sent to the Welsh Commissioners full particulars of any private benefaction made thereto through them, shall be made with the concurrence of the Ecclesiastical Commissioners or Queen Anne's Bounty as the case requires, and if in any case the concurrence required by this section is not given, the order shall be made with the approval of His Majesty the King in Council, given on the advice of the Judicial Committee of the Privy Council.

Distribution of Property.

Distribution of property by Welsh Commissioners.

8.—(1) Subject to the provisions of this Act, the Welsh Commissioners shall by order transfer the property vested in them by this Act, as follows:—

(*a*) they shall transfer to the representative body—

(i) all churches;

(ii) all ecclesiastical residences, together with any moveable chattels held and enjoyed with or as incident to the occupation of any such residence, by the incumbent for the time being of the office to which the residence is attached;

(iii) all funds or endowments specially allocated to the repair, restoration, or improvement of the fabric of any such church or ecclesiastical residence;

(iv) all property which consists of or is the produce of or is or has been derived from grants made by Queen Anne's Bounty out of moneys provided by Parliament;

(v) all property which consists of or is the produce of or is or has been derived from grants made by Queen Anne's Bounty out of the Royal Bounty Fund;

(vi) all private benefactions;

(vii) if so requested by the representative body, any glebe or other land, not comprised within any of the above-mentioned categories and not being a burial ground; subject to the payment by the representative body to the Welsh Commissioners of a sum equal to the value thereof, such value to be determined in default of agreement by arbitration, regard being had to the tenancies, charges, incumbrances, interests, and rights subject to which the land is transferred to the representative body;

(viii) if so requested by the representative body, any burial grounds which before the date of disestablishment have been closed under or in pursuance of the provisions of any Act of Parliament or of any Order in Council made thereunder;

(*b*) of the property not so transferred to the representative body they shall transfer the burial ground of any

ecclesiastical parish so as to vest the same in the existing incumbent during his incumbency and on the determination thereof—

(i) where the burial ground is situate in an area in which the Burial Acts, 1852 to 1906, are in force or in which (not being a rural district) a burial ground has been provided under the Public Health (Interments) Act, 1879, or a local Act, in the burial authority, or where the burial authority is a joint committee, in such one or more of the authorities represented on that committee, or in trustees on their behalf, as the Welsh Commissioners think fit; 42 & 43 Vict. c. 31.

(ii) where the burial ground is situate in a rural parish, or in a part of a rural parish in which the Burial Acts, 1852 to 1906, are not in force, in the council of that parish, or, if there is no council, in the chairman of the parish meeting and overseers of that parish; and

(iii) in any other case, in the council of the borough or urban district in which the burial ground is situate:

(*c*) of the property not so transferred to the representative body they shall transfer any tithe rentcharge which was formerly appropriated to the use of any parochial benefice to the council of the county in which the land out of which the tithe rentcharge issues is situate:

Provided that where such land is not situate in Wales or Monmouthshire they shall transfer the tithe rentcharge to the council of such county in Wales and Monmouthshire as the Welsh Commissioners think fit;

(*d*) of the property not so transferred to the representative body they shall transfer any other property which was formerly appropriated to the use of any parochial benefice (including the money paid under this section by the representative body in respect of glebes) to the council of the county in which the ecclesiastical parish to the use of which the property was so appropriated is situate: Provided that if such ecclesiastical parish is situate in more than one county the property shall be transferred to such one or more of those councils or be divided between them as the Welsh Commissioners may think fit;

(*e*) they shall transfer all other property vested in them to the University of Wales.

(2) Save as otherwise provided by this Act, all property transferred under this section shall be held subject to all existing public and private rights with respect thereto, and all tenancies, charges, and incumbrances which may at the date of transfer be subsisting therein, and in the case of all such

property, except tithe rentcharge transferred to a county council, to the existing interests of all persons who at the passing of this Act hold ecclesiastical offices in the Church in Wales, and in the case of such tithe rentcharge to the obligation to make such provision as is herein-after mentioned in lieu of such existing interests.

(3) Where property of any such class as aforesaid has before the date of disestablishment been sold, redeemed, or otherwise converted, or where any moneys are at that date held upon trust to be applied in the building purchase or repair of, or to make good dilapidations in, property of any such class as aforesaid, the proceeds of sale, redemption, or other conversion, and such moneys as aforesaid or the securities in which such proceeds or moneys are for the time being invested, shall be dealt with in like manner as if they were property of that class.

Border Parishes.

Provisions as to border parishes.

9.—(1) The Welsh Commissioners shall, as soon as may be after the passing of this Act, with respect to any ecclesiastical parish part only whereof is situate in Wales or Monmouthshire, by order determine, with reference to the general wishes of the parishioners, whether the parish is to be treated as being wholly within or wholly without Wales or Monmouthshire, and the parish shall for the purposes of this Act be treated accordingly, but any parishioner of the parish may appeal against any such order to His Majesty the King in Council, and any such appeal shall be referred to the Judicial Committee of the Privy Council.

(2) The Ecclesiastical Commissioners shall by order attach to an English diocese any ecclesiastical parish which at the passing of this Act is situate in a Welsh diocese, but not in Wales or Monmouthshire, and any such ecclesiastical parish which under this section is to be treated as being wholly without Wales or Monmouthshire, and may make any provisions which appear to them necessary or incidental to such attachment, including the transfer to the bishop of the diocese to which the parish is attached of the right of patronage in any case where such right was immediately before the passing of this Act vested in any cathedral or ecclesiastical corporation dissolved by this Act, but no such order shall come into effect until the date of disestablishment.

(3) Any ecclesiastical parish which is at the passing of this Act situate wholly in Wales or Monmouthshire, or is for the purposes of this Act to be treated as so situate, and forms part of an English diocese, shall, as from the date of disestablishment cease to form part of that diocese, and shall be attached to such Welsh diocese as may be determined in manner provided by the constitution and regulations of the Church in Wales.

(4) Save as by this section provided, nothing in this Act shall affect any English diocese.

Part II.

Welsh Commissioners and Representative Body.

Welsh Commissioners.

Appointment of Commissioners.

10.— (1) Such persons, not exceeding three in number, as His Majesty may by warrant under His Sign Manual appoint, of whom one at least shall be a member of the Church of England, shall be Commissioners under this Act. If any vacancy among them occurs by death, resignation, incapacity, or otherwise, His Majesty may, by warrant under His Sign Manual, appoint some fit person to fill the vacancy.

(2) The said Commissioners (in this Act referred to as the Welsh Commissioners) shall be a body corporate, styled, "The Commissioners of Church Temporalities in Wales" with a common seal, and power to hold land for the purposes of this Act without licence in mortmain.

(3) The Welsh Commissioners may act by any one of their body and notwithstanding any vacancy in their number, but if any person aggrieved by an order of one Commissioner so requires, the order shall be reconsidered on rehearing by the three Commissioners.

(4) There shall be paid to one of the Welsh Commissioners such salary, not exceeding fifteen hundred pounds a year, and to one other of the Commissioners such salary, not exceeding one thousand pounds a year, as the Treasury may direct.

(5) The Welsh Commissioners may, with the consent of a Secretary of State, and the consent of the Treasury as to number and remuneration, appoint or employ and remove a secretary, and such other officers and persons, and with such remuneration, as appears necessary for enabling the Commissioners to carry this Act into effect.

(6) The said salaries and remuneration and all incidental expenses sanctioned by the Treasury of carrying this Act into effect shall be paid by the Commissioners out of moneys in their hands in pursuance of this Act, but not so as in any way to diminish the property to be transferred to the representative body or county councils under this Act.

(7) The powers of the Commissioners shall continue until the end of the year in which this Act is passed and for three years thereafter, and no longer, and the Commissioners shall then be dissolved; but it shall be lawful for His Majesty from time to time with the advice of His Privy Council, on the application of the Commissioners, to suspend the dissolution of the Commissioners and, subject to revision by the Treasury of the salaries of the Commissioners and the remuneration and number of their officers, to continue their powers for such time, not exceeding in the aggregate two years, as His Majesty thinks fit.

(8) A paid Commissioner and an officer or other person employed by the Commissioners shall not during his continuance in office be capable of being elected to or sitting as a member of the House of Commons.

Powers and procedure of Commissioners.

11.—(1) Subject to such appeal as is in this Act mentioned, the Welsh Commissioners shall have full power to decide all questions, whether of law or of fact, which it may be necessary to decide for the purposes of this Act, and shall not be subject to be restrained in the due execution of their powers under this Act by the order of any court, nor shall any proceedings before them be removed by certiorari into any court.

(2) The Welsh Commissioners with respect to—

(*a*) enforcing the attendance of witnesses, after a tender of their expenses, the examination of witnesses, and the production of deeds, books, papers, and documents;

(*b*) issuing any commission for the examination of witnesses;

(*c*) punishing persons refusing to give evidence or to produce documents, or guilty of contempt in the presence of the Commissioners or any of them sitting in open court; and

(*d*) making or enforcing any order made by them for carrying into effect this Act;

shall have all such powers, rights, and privileges as are vested in the High Court for such or the like purposes, and all proceedings before the Commissioners shall in law be judicial proceedings before a court of record.

(3) The Welsh Commissioners may review and rescind or vary any order or decision previously made by them or any of them; but save as aforesaid, and as by this Act provided, every order or decision of the Welsh Commissioners shall be final.

(4) They shall make general rules for regulating their procedure under this Act, and generally for securing the due execution of their powers, and giving effect to this Act. All such general rules shall be submitted to His Majesty the King in Council for confirmation, and when so confirmed, with or without modifications, shall be laid before both Houses of Parliament, and shall have effect as if enacted by this Act.

(5) They shall in each year make a report to the Secretary of State of their proceedings under this Act, and this report shall be laid before Parliament.

Appeal to the King in Council.

12.—(1) An appeal shall lie to His Majesty the King in Council against any decision of the Welsh Commissioners with respect to any question as to what constitutes a private benefaction, or as to what sum should be paid under this Act as compensation, by way of annuity or otherwise, to any person, or as to what sum should be paid to any person in substitution for

and in satisfaction of his interest in any tithe rentcharge, and any such appeal shall be referred to the Judicial Committee of the Privy Council.

(2) Any appeal referred to the Judicial Committee under this Act shall be heard and dealt with in like manner as if it were an appeal from a court from which an appeal lies to His Majesty in Council, and the Judicial Committee shall have the same power with respect to the costs of the parties and otherwise as they have with respect to any such appeal.

Constitution of Representative Body.

Power to hold synods and constitute representative body.

13.—(1) Nothing in any Act, law, or custom shall prevent the bishops, clergy, and laity of the Church in Wales from holding synods or electing representatives thereto, or from framing, either by themselves or by their representatives elected in such manner as they think fit, constitutions and regulations for the general management and good government of the Church in Wales and the property and affairs thereof, whether as a whole or according to dioceses, and the future representation of members thereof in a general synod or in diocesan synods, or otherwise.

(2) If at any time it is shown to the satisfaction of His Majesty the King that the said bishops, clergy, and laity have appointed any persons to represent them, and hold property for any of their uses and purposes, His Majesty in Council may by charter incorporate such persons (in this Act referred to as the representative body), with power to hold land without licence in mortmain.

Part III.

Existing Interests: Compensation: Application of Residue.

Provisions as to existing Interests, and Compensation therefor.

Provisions as to existing interests.

14.—(1) Any person who at the date of the passing of this Act holds an ecclesiastical office affected by this Act by freehold tenure or by any tenure which, in the opinion of the Welsh Commissioners, is in practice equivalent to freehold tenure shall retain his existing interest in the emoluments of that office so long as he holds that office or any other ecclesiastical office in the Church in Wales to which he may be nominated or appointed after the passing of this Act, whether before or after the date of disestablishment:

Provided that where any such person is nominated or appointed to any ecclesiastical office in the Church in Wales, other than that which he held at the passing of this Act—

(*a*) he shall (save as otherwise expressly provided by this Act) pay over the net income of the ecclesiastical office held by him at the passing of this Act to the representative body;

(*b*) he shall cease to have any existing interest in any burial ground or any ecclesiastical residence attached to the office he held at the passing of the Act.

(2) On such a person as aforesaid ceasing for six months to hold any ecclesiastical office in the Church in Wales such existing interest as aforesaid shall determine:

Provided that if he resigned the office which he last held with the consent of the representative body on the ground that he was incapacitated by permanent mental or bodily infirmity for the performance of his duties, he shall be entitled to receive during the remainder of his life an annuity equal to one-third of the average net income of the office which he held at the passing of this Act (exclusive of the annual value of the ecclesiastical residence, if any, attached to the office), during the seven years immediately preceding the date of his resignation, and such annuity shall be charged on the property out of which the emoluments of that office were payable, and shall be payable by the body or authority in which such property is vested, or if such property is vested in more than one body or authority, by those bodies or authorities in proportion to the value of the parts of the property vested in them respectively.

(3) If any question arises under this section as to whether a person has been so incapacitated as aforesaid, or as to the amount of the annuity payable to him, or as to the bodies or authorities by whom such annuity is payable, or the proportions they are liable to contribute thereto, or as to the amount to be paid over under this section as the net income of any ecclesiastical office, the question shall be determined by arbitration.

(4) For the purposes of this section "net income" shall have the same meaning as the expression "annual value of a benefice" has in the Incumbents' Resignation Act, 1871.

34 & 35 Vict. c. 44.

(5) Where the emoluments of any such ecclesiastical office in the Church in Wales do not consist of an interest in any specific property, but consist of a right to receive a fixed annual sum, then—

(*a*) if that sum was before the date of disestablishment payable directly or indirectly out of the common fund of the Ecclesiastical Commissioners, such right shall be deemed to be an existing interest in the property on which the payment of such annual sum is charged by this Act; and

(*b*) if that sum was before that date payable otherwise than out of such fund as aforesaid, and the property out of which it was paid is by virtue of this Act vested in the Welsh Commissioners, such right shall be deemed to be an existing interest in that property.

(6) The dissolution by this Act of a corporation aggregate shall not affect the rights of any existing member of that corporation in the emoluments to which as a member of the corporation he was at the passing of this Act entitled.

(7) Where before the date of disestablishment a person has, under the Bishops' Resignation Act, 1869, the Deans' and Canons' Resignation Act, 1872, or the Incumbents' Resignation Act, 1871, as amended by any subsequent enactment, become entitled to a pension, charged on or payable out of the income of any ecclesiastical office in the Church in Wales, he shall continue entitled to receive the same pension as if this Act had not been passed from the existing holder of the said ecclesiastical office so long as his existing interest in the emoluments of that office continues, and after the cesser of that interest from the body or person in whom the property out of which the emoluments of that office were payable is vested, or, if such property is vested in more than one body or authority, by those bodies or authorities in proportion to the value of the parts of the property vested in them respectively, and if any question arises as to the bodies or authorities by whom the pension is payable or as to the proportion they are to be liable to contribute thereto, the question shall be determined by arbitration. 32 & 33 Vict. c. 111. 35 & 36 Vict. c. 8.

(8) Nothing in this section shall be construed as entitling the holder of any ecclesiastical office to receive the emoluments of that office during any period whilst he may be suspended by order of a court of competent jurisdiction from exercising the spiritual functions of that office.

15.—(1) There shall be paid to each person who has any existing interest in any tithe rentcharge transferred to a county council under this Act, in substitution for and in satisfaction of that interest, and so long as that interest would otherwise have continued, the annual amount, according to the septennial average for the time being, of that tithe rentcharge, after deducting such sum as may be allowed by the Welsh Commissioners for cost of collection, rates, and other outgoings. Provisions as to tithe rentcharge.

(2) The amount so payable shall be paid half yearly by the county council to the representative body upon trust to pay over the same to the person who had such an existing interest as aforesaid, and the amount so payable by the county council shall be a debt from the council to the representative body, and a charge on the county fund.

(3) A county council and the representative body shall as respects any tithe rentcharge transferred to them under this Act which was previously attached to a benefice, be deemed to be the owner of tithe rentcharge attached to a benefice for the purposes of the Tithe Rentcharge Rates Act, 1899, so long as the holder of the benefice continues to be entitled to the amount payable in respect of such tithe rentcharge under this section, but no longer. 62 & 63 Vict. c. 17.

(4) Nothing in this section shall be construed as relieving the holder of any ecclesiastical office in the Church in Wales so long as the amount payable under this section is so paid of

any liability to repair any ecclesiastical building to which as the owner of tithe rentcharge he was subject immediately before the passing of this Act.

Compensation to lay patrons.

16. The Welsh Commissioners, if application is made to them within six months after the passing of this Act by or on behalf of any person who or whose predecessor in title was at that date entitled to any right of patronage of any benefice affected by this Act, shall, at the expiration of two years from the date of disestablishment, or, if a vacancy in that benefice occurs after the date of disestablishment but before the expiration of that period, on the occurrence of the vacancy, pay in compensation for the extinction of that right such an amount as the Welsh Commissioners may think just, so however that the total amount paid by way of compensation in respect of any benefice shall not exceed one year's emoluments of the benefice taken on an average of the three years immediately before the passing of this Act:

Provided that—

(1) His Majesty shall not, nor shall any corporation, sole or aggregate, dissolved by this Act, nor shall any trustees, officers, or other persons acting in a public capacity, be entitled to any payment under this section for or in respect of any right of patronage; and

(2) Where any person would, but for the provisions of the statutes affecting Roman Catholics in reference to conformity to the Established Church, have had at the passing of this Act any such right of patronage he or his successors in title shall be entitled to compensation therefor in the same manner as if it had been then actually vested in him; and

(3) A trustee or other person occupying a fiduciary position shall not be bound to make an application under this section; and

(4) The compensation paid under this section shall be paid out of or charged on the property vested in the Welsh Commissioners under this Act, other than burial grounds and the property to be transferred to the representative body, in such manner that the burden thereof may be distributed amongst the University of Wales and the several county councils in proportion to the value of the property transferred to them respectively.

Compensation to lay holders of freehold offices.

17. If the Welsh Commissioners find that any person who at the passing of this Act holds any lay office in the church in Wales by freehold tenure or by any tenure which, in the opinion of the Commissioners, is in practice equivalent to freehold tenure, is deprived of any emoluments by the operation of this Act, they may pay to that person out of moneys in their

hands in pursuance of this Act, such sum by way of compensation, either by means of a single payment or of the purchase of a life annuity, as they may, with the consent of the Treasury, determine :

Provided that the compensation paid under this section shall be paid out of or charged on the property vested in the Welsh Commissioners under this Act, other than burial grounds and the property to be transferred to the representative body, in such manner that the burden thereof may be distributed amongst the University of Wales and the several county councils in proportion to the value of the property transferred to them respectively.

Provisions as to commutation.

18. If before, or within one month after, the date of disestablishment the representative body signify by notice in writing to the Welsh Commissioners that they have adopted the scheme of commutation herein-after set forth, the following provisions shall have effect :—

(*a*) As from the date of disestablishment or of such notice, whichever is the later (herein-after referred to as the date of commutation), the existing interests of the holders of all ecclesiastical offices in the Church in Wales in all property (other than burial grounds) vested in the Welsh Commissioners and by them to be transferred to the county councils or the University of Wales shall determine ; and the provisions of this Act respecting existing interests in such property, and the payment of money in substitution for and in satisfaction of such interests, and respecting the right of the representative body to require the transfer to them of glebe or other land subject to the payment of the value thereof, and respecting the liability of the existing holders of ecclesiastical offices to pay tenths, shall cease to have effect :

(*b*) The Welsh Commissioners shall, as soon as may be after the date of commutation, pay to the representative body the aggregate value of the existing interests of holders of ecclesiastical offices in the Church in Wales in such property as aforesaid, being offices held by freehold tenure or any tenure which, in the opinion of the Welsh Commissioners, is in practice equivalent to freehold tenure, such value to be ascertained in manner provided by the Fourth Schedule to this Act, together with interest on that amount at the rate of three and one-half per cent. per annum from the date of commutation to the date of payment :

Provided that, if the representative body so request, the Welsh Commissioners shall transfer to the representative body any glebe or other land (not being a burial ground) vested in them in part satisfaction of the sum so payable, the value of such land to be settled in default of agreement by arbitration :

(*c*) The Welsh Commissioners shall, in addition to the amount payable under the last preceding paragraph, pay to the representative body towards the costs of administration a sum equal to two and one-half per cent. of that amount:

(*d*) The Welsh Commissioners shall, on the request of the representative body, from time to time make payments on account of the sums so payable to the representative body, not exceeding at any time the amount then received by or due to the Welsh Commissioners as income from the property vested in them and to be by them transferred to the University of Wales and county councils, and such payments on account shall be treated as having been made on account of interest and not on account of capital, except so far as any sum paid on account is found to have been in excess of the interest due at the date of the payment on account:

(*e*) The holder of any ecclesiastical office in the Church in Wales which is held by freehold tenure, or by any tenure which in the opinion of the Welsh Commissioners is in practice equivalent to freehold tenure, shall, subject to any arrangements which may be made between him and the representative body, be entitled, in lieu of his existing interest in such property as aforesaid, to an annuity calculated in manner provided by the Fifth Schedule to this Act, so long as he continues to hold an ecclesiastical office in the Church in Wales; and any question as to the amount thereof shall be determined by arbitration:

(*f*) Every annuity payable under this section shall be charged on the property for the time being vested in the representative body, and shall be treated as part of the emoluments of the ecclesiastical office which the annuitant held at the passing of this Act; and accordingly, where the interest of the annuitant in the emoluments of his office was at the date of commutation subject to any incumbrance, the incumbrancer shall have the same rights, as nearly as may be, against the annuity as he has against the other emoluments of the office, and any curate licensed before the passing of this Act to serve under the annuitant shall, so long as the annuitant holds his existing office, have the same rights against the annuity as he has against the other emoluments of the office:

(*g*) The annuitant shall continue liable to repair any ecclesiastical building which he would have been liable to repair if he had retained his existing interest in such property as aforesaid:

(*h*) Nothing in this section shall affect the right of the holder of an ecclesiastical office to an annuity on resignation conferred by this Act, but the whole of such annuity shall be payable by the representative body.

Application of Residue.

Application of residue of property.

19.—(1) Subject to the provisions of this Act, the property vested in the Welsh Commissioners by this Act, other than the property transferred to the representative body and burial grounds, shall be applied as follows :—

(*a*) The property formerly appropriated to the use of parochial benefices and transferred to a county council shall be applied, in accordance with one or more schemes made by that council either alone or jointly with any other such council and approved by the Secretary of State, to any charitable or eleemosynary purpose of local or general utility, including the aiding of poor scholars ;

(*b*) All other property to which this section relates shall be applied in the first instance towards payment of the expenses of carrying this Act into execution (exclusive of any expenses incurred in the administration of any scheme made by a county council) and, subject thereto, shall be applied by the University of Wales by way of the appropriation or payment either of capital or annual sums, or partly in one such way and partly in the other, for the benefit of the University and the following institutions, that is to say, the University College of Wales, Aberystwyth, the University College of North Wales, the University College of South Wales and Monmouthshire, and the National Library of Wales, so, however, that the ultimate share of each such university college shall be one-fourth, and of the National Library of Wales one-eighth, of the total amount so distributable, and that in applying its share each such university college shall have regard to the needs of poor scholars.

(2) In framing schemes under this section as to the application of property formerly appropriated to the use of parochial benefices, due regard shall be had to the wants and circumstances of the parish in which the property is situate or from which it is or has been derived, and of the parish comprising the ecclesiastical parish to which any such property was attached, and generally to the circumstances of each particular case.

(3) A scheme made under this section may be amended or revoked by a scheme made and confirmed in like manner as the original scheme.

(4) Every scheme made and confirmed under this section shall be laid before both Houses of Parliament as soon as may be after it is confirmed, and shall have effect as if enacted in this Act.

PART IV.

SUPPLEMENTAL.

First fruits and tenths.

20. As from the date of disestablishment first fruits in respect of any subsequent appointment to any ecclesiastical office in the Church in Wales, and tenths in respect of any such office, shall cease to be payable:

Provided that nothing in this Act shall affect the liability of any person who at the passing of this Act has an existing interest in the emoluments of any ecclesiastical office in the Church in Wales to pay tenths, but such tenths shall after the date of disestablishment be paid to the Welsh Commissioners or as they may direct, and shall continue to be so payable so long as such person continues entitled to such an interest.

Vacancies during suspensory period.

21. If any vacancy occurs in any ecclesiastical office in the Church in Wales, between the passing of this Act and the date of disestablishment—

(1) His Majesty the King may in the case of a vacant bishopric, on the petition of the Archbishop of Canterbury, or of the surviving Welsh bishops, nominate a person to fill the vacancy; but any bishop so nominated shall not be summoned to or be qualified to sit in the House of Lords, and shall be subject to the provisions herein-after mentioned:

(2) Any other vacancy may be filled by an appointment made by the same person in the same manner as if this Act had not passed:

(3) A person nominated or appointed to any office in pursuance of this section shall not be liable to pay any first fruits in respect of appointment to the office, or any tenths in respect of the office, but his interest as respects the office to which he is so nominated or appointed shall not be an existing interest within the meaning of this Act:

(4) If the person so nominated or appointed was at the passing of this Act the holder of any other ecclesiastical office in the Church in Wales he shall, until the date of disestablishment, pay over to the bishop of the diocese the net income of the last-mentioned office, who shall thereout make such provision for the discharge of the spiritual duties of that office as he may think proper until the date of disestablishment.

Provision as to trusts.

22.—(1) Where any cathedral or ecclesiastical corporation dissolved by this Act holds any property in trust for any charitable purpose, the property shall on the dissolution of the corporation

vest in the Welsh Commissioners, and the Commissioners shall, on the request of the representative body, transfer the property to that body or to persons appointed by them, subject to the trusts affecting the same, and under the same supervision, local or otherwise, as heretofore, or as near thereto as the circumstances of the case will admit.

(2) Where any ecclesiastical persons are immediately before the date of disestablishment in right of their offices entitled to be trustees of any property held in trust for any charitable purpose, or members of any bodies constituted for the management of any private endowment, or trustees for the management of property belonging to institutions or private foundations for purposes not ecclesiastical, or to exercise any control or to give any consent or approval in respect of any trust, endowment, foundation, or institution, then the persons (if any) who may hereafter at any time discharge duties similar or analogous to those now discharged by those ecclesiastical persons, and in succession to them, shall be entitled to succeed in their room and to be members of such bodies and to act as such trustees and to exercise such control and to give such consent or approval :

Provided that the bishops of the Church in Wales shall not as such continue to be Ecclesiastical Commissioners or Governors of Queen Anne's Bounty.

Provisions as to marriages.

23. As from the date of disestablishment, the law relating to marriages in churches of the Church of England (including any law conferring any right to be married in such a church) shall cease to be in force in Wales and Monmouthshire, and the provisions of the Marriage Acts, 1811 to 1898, relating to marriages in registered buildings, shall apply to marriages in churches of the Church in Wales, and every such church may accordingly be registered under and subject to the conditions imposed by those Acts :

Provided that—

(*a*) Every church in Wales and Monmouthshire in which immediately before the date of disestablishment marriages could lawfully be solemnised, shall without registration or the payment of any fee become, as from that date, a registered building within the meaning of the said Acts, and all churches which at the date of disestablishment appear in the official list of the Registrar-General shall be deemed for the purpose of this section to be churches in which marriages can lawfully be solemnised :

(*b*) A person who at the date of disestablishment is the incumbent of any parochial benefice in Wales or Monmouthshire shall, on making application to the Registrar-General for the purpose, be entitled to be appointed as the authorised person with respect to all churches within his spiritual charge as such incumbent which by virtue of this section become registered buildings.

Supplemental provisions as to burial grounds.

24.—(1) Nothing in this Act shall during the incumbency of an existing incumbent of an ecclesiastical parish—

(*a*) affect any powers or rights with respect to burials in the burial ground of that parish, including the consecrated portion of any burial ground provided under the Burial Acts, 1852 to 1906, or affect any enactment requiring or authorising a notice or certificate of any burial to be given to the incumbent; or

(*b*) affect the right of any existing clerk or sexton to fees in respect of such burials.

(2) The vesting of any burial ground under this Act shall be without prejudice to any existing public and private rights of burial therein.

(3) Where any burial ground which, under this Act, is transferred to any authority (whether a burial board, council, chairman of a parish meeting and overseers, or trustees) adjoins a church vested in the representative body, then after the determination of the incumbency of the existing incumbent—

(*a*) the burial ground shall be held subject to a right of way in the representative body, and the clergy and congregation attending the church, and such other persons as may resort thereto for the purpose of public or private worship, or of repairing the church, or for any other lawful purpose; and

(*b*) no funeral shall be allowed to take place during the usual time of the ordinary services in the church, and such other regulations shall be made by the Secretary of State as may be found necessary to prevent any interference, by persons attending funerals, with the clergy or congregation attending the church; and

(*c*) any road or path through the burial ground to the church shall be kept in good and sufficient repair by the authority; and

(*d*) where the use of part of the burial ground is required for the enlargement or repair of the church, it may be so used in any case where it might lawfully have been so used, and subject to the like conditions and restrictions, as if this Act had not been passed, and where used for the purpose of the enlargement of the church the part so used shall thereupon vest in the representative body.

(4) Subject as aforesaid, every such burial ground shall after the determination of the incumbency of the existing incumbent be held for the same purposes and subject to the same rules and regulations as if the Burial Acts, 1852 to 1906, were in force in the area of the authority by which the burial ground is to be administered and as if it were a burial ground provided under those Acts, and those Acts, so far as is consistent

with the tenor thereof, and with the provisions of this Act, shall apply accordingly:

Provided that where any such burial ground is under this Act transferred to the chairman of the parish meeting and overseers of a rural parish the necessary steps shall forthwith be taken for the constitution of a burial authority for the parish.

Powers of vestries and churchwardens.

25.—(1) There shall be transferred to the council of every borough and urban district in Wales and Monmouthshire—

(*a*) the powers, duties, and liabilities of the vestry of every parish within the borough or urban district, except so far as they relate to the affairs of the church or to ecclesiastical charities;

(*b*) the powers, duties, and liabilities of the churchwardens of every such parish, except so far as they relate to the affairs of the church or to charities, or are powers and duties of overseers, but inclusive of the obligations of the churchwardens with respect to maintaining and repairing closed burials grounds wherever the expenses of such maintenance and repair are payable out of the poor rate under the Burial Act, 1855, and the burial ground is not transferred to the representative body.

18 & 19 Vict. c. 128.

(2) The council of every such borough and urban district shall have the like powers and duties with regard to the appointment of overseers and the appointment and revocation of appointment of assistant overseers as are conferred on parish councils by section five of the Local Government Act, 1894, and that section shall apply accordingly:

56 & 57 Vict. c. 73.

Provided that paragraph (*c*) of subsection (2) of that section shall not, unless the Local Government Board otherwise direct, apply to any parish in any such borough or urban district, but the legal interest in all property referred to in the said paragraph, and with the exception therein mentioned, shall vest only in the overseers of the parish, subject to all trusts and liabilities affecting the same.

(3) Nothing in this section shall affect any order which may have been made by the Local Government Board under section thirty-three of the Local Government Act, 1894.

Powers of incumbents with respect to property in which they have existing interest.

26. During the continuance of the existing interest of the holder of any ecclesiastical office in the Church in Wales in any property, any power of sale, leasing, mortgaging, exchanging, or otherwise disposing of or dealing with that property exerciseable by the holder of that office at the passing of this Act shall continue exerciseable by him, but no such power shall be exercised by him—

(*a*) in the case of property transferred or to be transferred to the representative body, without the consent of that body; and

(*b*) in the case of property transferred or to be transferred to a county council, without the consent of the Welsh Commissioners so long as they continue to exist, and thereafter of the county council, or on appeal of the Board of Agriculture and Fisheries;

and such consent as aforesaid shall be substituted for any consents or approval which would have been required if this Act had not been passed:

Provided that where under the Acts in pursuance of which property is disposed of or dealt with the whole or any part of the proceeds of the consideration received for the sale, leasing, mortgage, exchange, disposal of or dealing with the property is payable to the Ecclesiastical Commissioners or Queen Anne's Bounty or the Board of Agriculture and Fisheries, or any other authority, it shall be paid to the representative body or the county council as the case may be, and shall, subject to the existing interest of the incumbent, become the property of that body or council.

Powers of management and sale.

27.—(1) The Welsh Commissioners, and any local authority shall, with respect to any property vested in them by or under this Act, have power to manage the property and, as incidental thereto, power to sell, lease, or exchange any part thereof; but any such power of sale, leasing, or exchange shall not be exercised by the Welsh Commissioners without the consent of the Treasury, or by a local authority without such consent as is by law required for the purposes of the sale, leasing, or exchange of land by that authority:

Provided that nothing in this section shall be construed as conferring a power on any authority to sell any part of a burial ground.

(2) The property transferred under this Act to the University of Wales shall not be reckoned as part of the property held by that university for the purposes of the limitation contained in the charter of the university on the amount of property which they are authorised to hold, and the university may, notwithstanding anything in that charter, hold and apply the property so transferred to them, and make any payments thereout required for preserving existing interests, in accordance with the provisions of this Act, and shall for that purpose have power to manage the property, and as incidental thereto to sell, lease, or exchange any part thereof; but no such power of sale, leasing, or exchange shall, whilst the university continues liable to make payments for the purpose of preserving existing interests, be exercised without the consent of the Treasury.

(3) As respects glebe and other land transferred to the representative body subject to the payment of the value thereof, the Welsh Commissioners may allow the whole or any part of the money payable by the representative body to remain on mortgage of the glebe or other land transferred, or may allow the

payment to be made by instalments spread over such term of years as they may determine.

Supplemental provisions as to tithe rentcharge.

28.—(1) Nothing in this Act shall affect any liability to pay tithe rentcharge, or the liability of any lay impropriator of any tithe rentcharge to repair any ecclesiastical building, but a county council shall not, by reason of being entitled to or receiving any tithe rentcharge under this Act, be liable for the repair of any ecclesiastical building.

(2) Such liability as aforesaid of a lay impropriator may be enforced in the temporal courts at the instance of the representative body in like manner as if such liability arose under a covenant made with the representative body and running with the tithe rentcharge.

Delivery up of and access to books and documents.

29.—(1) The respective registrars of the diocesan or other registries, or any other officers having the possession or custody of any books or documents relating to any of the property vested in the Welsh Commissioners by this Act, and not in the possession or under the control of the Ecclesiastical Commissioners or of Queen Anne's Bounty, shall, within three months next after the date of disestablishment, deliver the same to the Welsh Commissioners.

(2) The Ecclesiastical Commissioners and Queen Anne's Bounty respectively shall deliver to the Welsh Commissioners any books or documents in their possession or under their control relating exclusively to the property vested in the Welsh Commissioners by this Act.

(3) The Welsh Commissioners shall give receipts for the books and documents so delivered to them and—

(*a*) shall, where any such books and documents relate exclusively to property transferred to any body under this Act, hand over those books and documents to that body; and

(*b*) shall, where any such books and documents relate to property transferred under this Act partly to one body, and partly to another body hand over those books and documents to such one of those bodies as the Welsh Commissioners think fit; and

(*c*) may hand over to any person, authority, or body any such books and documents other than aforesaid, which they think ought to be placed under the control of that person, authority, or body; and

(*d*) shall lodge in the National Library of Wales the residue of such books and documents when not required by the Welsh Commissioners for the execution of their duties under this Act.

(4) Where by virtue of this section any books and documents are handed over to any body and relate also to property transferred to some other body, the body to whom those books and documents are handed over shall be under the same liability as respects the

production and the delivery of copies of those books and documents as if they had given to that other body as incident to a conveyance on sale an acknowledgment in writing of the right of that other body to production of those books and documents and to delivery of copies thereof.

(5) Nothing in this section shall affect section seventeen of the Local Government Act, 1894, or apply to any books or documents in the possession or custody of the Board of Agriculture and Fisheries.

Borrowing powers.

30.—(1) The Welsh Commissioners may, with the consent of the Treasury, and upon such terms as the Treasury may approve, borrow such sums of money as they may think expedient for carrying into effect any provisions of this Act, and may give as security for the repayment of any sums so borrowed and the interest thereon any part of the property vested in them by this Act other than any property required by this Act to be transferred to the representative body, but shall determine as between the several parts of property so given as security the part or parts to be primarily liable for the several sums so borrowed.

(2) The National Debt Commissioners, if they think fit, may, out of any money in their hands, advance to the Welsh Commissioners, with such guarantee as is by this Act authorised (but not otherwise), any money which by this Act the Welsh Commissioners are authorised to borrow.

(3) The Treasury may, if they think fit, guarantee the payment of the principal and interest of all or any part of any money borrowed by the Welsh Commissioners.

(4) Any security given by the Welsh Commissioners in pursuance of this Act shall be in such form, and may contain such powers of sale or otherwise, as the Treasury approve, and there shall be certified thereon, in such form and manner as the Treasury direct, any guarantee given by the Treasury.

(5) For giving effect to the guarantee aforesaid, the Treasury, in aid of any money applicable under this Act for payment of principal and interest for the time being accrued due in respect of any money borrowed by the Welsh Commissioners in pursuance of this Act, may cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, such sums as may be necessary for payment of the said principal and interest, or of any part thereof respectively.

(6) If any money is at any time issued out of the Consolidated Fund in pursuance of the guarantee aforesaid, the Treasury shall cause the same to be repaid to the Consolidated Fund out of the funds in the hands of the Welsh Commissioners or of their successors in title to the property given as security.

Accounts of Welsh Commissioners and audit.

31.—(1) At the end of every financial year accounts of the receipts and expenditure of the Welsh Commissioners, both of capital and of income, shall be made up in such form and with such particulars as the Treasury may direct, and shall be audited

by the Controller and Auditor General as public accounts in accordance with such regulations as the Treasury may make, and shall be laid before Parliament, together with his report thereupon.

(2) It shall be lawful for the Welsh Commissioners to invest any money for the time being in their hands in accordance with regulations made by the Treasury in any securities which are for the time being authorised by Parliament as investments for savings banks funds.

Provisions as to vesting of stock and copyhold land. 56 & 57 Vict. c. 53.

32.—(1) Where any property vested in the Welsh Commissioners by this Act consists of stock within the meaning of the Trustee Act, 1893, the Welsh Commissioners shall for the purpose of enabling such stock to be registered in their names have the right to transfer or call for the transfer of such stock in like manner as if a vesting order had been made for the purpose by the High Court under the Trustee Act, 1893.

(2) Where any property vested in the Welsh Commissioners or the Ecclesiastical Commissioners or Queen Anne's Bounty under this Act consists of copyhold land the Welsh Commissioners, the Ecclesiastical Commissioners, and Queen Anne's Bounty shall, as respects such land respectively, have the like powers as if they had been appointed by the court under section thirty-three of the Trustee Act, 1893, to convey the land, and section thirty-four of that Act shall apply accordingly.

Provisions as to building charges. 17 Geo. 3. c. 5. 1 & 2 Vict. c. 106. 6 & 7 Will. 4. c. 77. 3 & 4 Vict. c. 113.

33.—(1) As respects the charges on the emoluments of ecclesiastical offices in the Church in Wales created in favour of Queen Anne's Bounty under the Clergy Residences Repair Act, 1776, the Pluralities Act, 1838, the Ecclesiastical Dilapidations Act, 1871, the Ecclesiastical Commissioners Act, 1836, or the Ecclesiastical Commissioners Act, 1840, as amended or extended by any subsequent enactment, which are subsisting at the passing of this Act, Queen Anne's Bounty shall, as soon as may be after the passing of this Act, ascertain and by order declare which of those charges were created for securing money raised for the purpose of property to be transferred to a county council, and where raised partly for the purpose of such property and partly for the purpose of other property may by their order make such apportionment as may be necessary.

(2) On the determination of the existing interest of the holder of any such ecclesiastical office in the emoluments of his office, the charge comprised in such an order as aforesaid, or the apportioned part thereof, shall become a charge on the property for the purposes to which the money was raised, and on the county fund of the county to which the property is transferred, and all other property shall be exonerated therefrom. In other cases the charge shall on such determination become a charge on the property for the time being vested in the representative body, and all other property shall be exonerated therefrom.

(3) Orders of Queen Anne's Bounty under this section shall be made with the concurrence of the Welsh Commissioners or,

in default of such concurrence, with the approval of His Majesty the King in Council given on the advice of the Judicial Committee of the Privy Council.

(4) Nothing in this Act shall affect any such charge as aforesaid whilst the existing interest of the holder of the ecclesiastical office in the emoluments of his office continues.

Power to settle differences and make adjustments.

34. The Welsh Commissioners shall have power to decide any question arising under this Act between different local authorities, and to make any adjustment of rights or liabilities incidental to the distribution of property under this Act among such local authorities.

Adjustment of debts and liabilities.

35.—(1) The authorities interested (including the Welsh Commissioners, the Ecclesiastical Commissioners, Queen Anne's Bounty, the representative body, the University of Wales, and any local authority) may make agreements for adjusting or apportioning any property, income, debts, liabilities, and expenses, so far as affected by this Act, or by any scheme or order under this Act, of the parties to the agreement.

(2) The agreement may provide for the transfer or retention of any property, debts, or liabilities, with or without any conditions and for the joint use of any property, and for payment by either party to the agreement in respect of property, debts, or liabilities so transferred or retained, or of joint user, or in respect of the salary or remuneration of any officer or person.

(3) The power to make such agreements shall, in the case where parts of property subject to a charge are under this Act transferred to different bodies, include a power for the Welsh Commissioners and the representative body to agree as to the body by which or the proportions in which the several bodies are as between themselves to be liable for the charge, but nothing in such an agreement shall prejudice the right of any such person to any such charge or any charge under statute or otherwise for the recovery thereof or any part thereof.

(4) In default of agreement, and as far as any such agreement does not extend, any adjustment required for the purposes of this Act shall be referred to arbitration.

Arbitration.

52 & 53 Vict. c. 49.

36. Any arbitration under this Act shall be conducted in accordance with the Arbitration Act, 1889, and the arbitrator shall have power to disallow as to costs in the arbitration the costs of any witness whom he may consider to have been called unnecessarily, and any other costs which he considers to have been incurred unnecessarily, and his award may provide for any matter for which an agreement under the last foregoing section might have provided.

Appointment of notaries public.

37. As from the date of disestablishment the powers of the Archbishop of Canterbury in respect to the appointment of notaries public to practise in districts wholly within Wales or Monmouthshire shall be transferred to the Lord Chancellor.

38.—(1) In this Act, unless the context otherwise requires,— Interpretation.

The expression "existing" means existing at the passing of this Act:

The expression "ecclesiastical office" means any bishopric, ecclesiastical dignity, or preferment within the meaning of the Church Discipline Act, 1840, and includes any lay office in connection therewith, or in connection with any cathedral corporation:

The expression "cathedral corporation" means any dean and chapter, and also any corporation of minor canons, or vicars choral, or any other subordinate corporation of or belonging to or connected with any cathedral or collegiate church in Wales:

The expression "ecclesiastical person" means a bishop and the holder of any ecclesiastical office who is in holy orders:

The expression "parochial benefice" has the same meaning as "benefice" in the Incumbents Resignation Act, 1871:

The expression "right of patronage" includes any advowson, right of presentation, or right of nomination to an ecclesiastical office:

The expression "synod" includes any assembly or convention:

The expression "property" includes all property, real and personal, including things in action and rights of action; and where any property is held in trust for or for the benefit of the holder of any ecclesiastical office as such, or for any cathedral or ecclesiastical corporation, that property shall be deemed for the purposes of this Act to belong to that office or corporation; and the burial ground of any ecclesiastical parish shall, unless provided under the Burial Acts, 1852 to 1906, or the Public Health (Interments) Act, 1879, or otherwise vested in any local or other public authority, be deemed for the purposes of this Act to be property belonging to an ecclesiastical office in the Church in Wales:

The expression "church" includes cathedral and other churches, chapels of ease, and other public chapels of the Church in Wales and in the case of a cathedral church includes the chapter house and cloisters and other precincts of the cathedral church:

The expression "ecclesiastical residence" means any parsonage house and any house of residence provided for an assistant curate and any house of residence of any bishop or member or officer of a cathedral corporation and any offices belonging thereto:

The expression "house" includes any curtilage or garden appurtenant to or usually occupied with the house:

The expression "burial authority" means any burial board and any council, committee, or other local authority

having the powers and duties of a burial board under the Burial Acts, 1852 to 1906, and any local authority (other than a rural district council) maintaining a cemetery under the Public Health (Interments) Act, 1879, or under any local Act:

The expression "tithe rentcharge" includes all payments in lieu of or in the nature of tithes or tithe rentcharge:

The expressions "first fruits" and "tenths" include any sums payable in lieu of first fruits and tenths, but annual sums in lieu of first fruits payable at such times and in such manner as tenths are payable shall be treated as included in the expression "tenths":

The expression "county" includes a county borough, and the expression "county council" includes the council of a county borough, and "county fund" in relation to a county borough means the borough fund or borough rate.

(2) Property shall not for the purposes of this Act be deemed to be situate in Wales or Monmouthshire by reason only of being invested in the stocks, funds, or securities of any company owning property so situate.

(3) In all enactments, deeds, and other documents in which mention is made of the Church of England, the enactments and provisions relating thereto shall be construed as including the Church in Wales, but as to that Church subject to the provisions of this Act.

(4) For removing doubts it is hereby declared that the Principal or other member of Jesus College, Oxford, who may from time to time be rector of Llandyssil, shall as such be treated as a lay impropriator and not as the holder of an ecclesiastical office.

Short title.

39. This Act may be cited as the Welsh Church Act, 1914.

SCHEDULES.

FIRST SCHEDULE.

PART I.

Section 5 (1).

PROPERTY VESTED IN THE ECCLESIASTICAL COMMISSIONERS WHICH IS TO BE DEEMED WELSH ECCLESIASTICAL PROPERTY.

(1) Property which does not belong to and is not appropriated to the use of any ecclesiastical office or cathedral corporation, but which is, or is the produce of, or is or has been derived from, property which became vested in the Ecclesiastical Commissioners before the passing of this Act,

and which immediately before becoming so vested belonged to or was appropriated to the use of an ecclesiastical office or cathedral corporation in the Church in Wales, or the holder of any such office as such.

Any property situate in, or issuing out of property situate in, Wales or Monmouthshire which has been purchased by the Ecclesiastical Commissioners shall be deemed to have been purchased with the proceeds of sale of and so derived from property which immediately before being vested in the Ecclesiastical Commissioners belonged to an ecclesiastical office or cathedral corporation in the Church in Wales, and the produce of such last-mentioned property shall be taken as having been diminished by the amount expended by the Ecclesiastical Commissioners on such purchases.

(2) Property which belongs to, or is appropriated to the use of, any ecclesiastical office or cathedral corporation in the Church in Wales, or the holder of any such office as such, and which is or has been derived from sources other than grants made by the Ecclesiastical Commissioners.

Part II.

Adjustments.

(1) The Ecclesiastical Commissioners shall exchange such property comprised in paragraph (1) of Part I. of this Schedule as is property situate elsewhere than in Wales or Monmouthshire, or is property issuing out of property so situate, for all property vested in them which is situate in, or issues out of property situate in, Wales or Monmouthshire, and which became vested in the Ecclesiastical Commissioners before the passing of this Act, and which immediately before becoming so vested belonged to or was appropriated to the use of any ecclesiastical office or cathedral corporation other than an ecclesiastical office or cathedral corporation in the Church in Wales, or the holder of any such office as such, and shall deduct from the property comprised in paragraph (1) of Part I. of this Schedule such sum of money as the Commissioners may ascertain and by order declare to be due by way of equality of exchange. Provided that if the money and securities comprised in paragraph (1) of Part I. of this Schedule are less than the sum to be deducted, the Ecclesiastical Commissioners shall be entitled to a charge on the property transferred for the balance with interest at the rate of four per cent. per annum.

(2) There shall be charged on the property mentioned in paragraph (1) of Part I. of this Schedule, subject to such adjustments as aforesaid so far as it is able to bear them, and so long as they continue payable, the sums before the date of disestablishment payable by the Ecclesiastical Commissioners out of their common fund for ecclesiastical purposes in the Church in Wales other than the augmentation or endowment of parochial benefices or towards the stipends of assistant clergy, and the common fund of the Ecclesiastical Commissioners shall be exonerated from the liability to make such payments except so far as such property as aforesaid is not able to bear them.

SECOND SCHEDULE.

Section 5 (2).

Property vested in Queen Anne's Bounty which is to be deemed Welsh Ecclesiastical Property.

Property which belongs to or is appropriated to the use of any ecclesiastical office or cathedral corporation in the Church in Wales, or the holder of any such office as such, except, in the case of any such property which consists of, or is the produce of, or is or has been derived from grants made by Queen Anne's Bounty out of the Royal Bounty Fund such part thereof as has been derived from sources other than Welsh sources.

Two-thirds of each grant made by Queen Anne's Bounty out of the Royal Bounty Fund, shall, for the purposes of this Schedule, be deemed to have been derived from sources other than Welsh sources.

THIRD SCHEDULE.

Part I.

Section 6.

Property which may be transferred by the Ecclesiastical Commissioners to the Representative Body.

Property vested in the Ecclesiastical Commissioners which has by them been before the passing of this Act annexed or appropriated to any ecclesiastical office or cathedral corporation in the Church in Wales by way of grant, or is the produce of, or is or has been derived from, property so annexed or appropriated and which is not Welsh ecclesiastical property within the meaning of this Act.

Part II.

Property which may be transferred by Queen Anne's Bounty to the Representative Body.

Property vested in Queen Anne's Bounty which has by them been before the passing of this Act annexed or appropriated to any ecclesiastical office or cathedral corporation in the Church in Wales by way of grant, or is the produce of, or is or has been derived from, property so annexed or appropriated, and which is not Welsh ecclesiastical property within the meaning of this Act.

Part III.

Property a Perpetual Annuity of the Annual Value of which may be charged on the Common Fund of the Ecclesiastical Commissioners.

(1) Charges on the common fund of the Ecclesiastical Commissioners made before the passing of this Act by way of grant for any ecclesiastical purpose in the Church in Wales, not being charges in respect of the property mentioned in Part I. of this Schedule and not being Welsh ecclesiastical property within the meaning of this Act.

(2) A sum equal to the difference between the aggregate annual amount of the sums mentioned in paragraph (2) of Part II. of the First Schedule to this Act, and the annual value of the property mentioned in paragraph (1) of Part I. of that Schedule.

Part IV.

Limit of Amount which may be granted in any Year by the Ecclesiastical Commissioners to the Representative Body.

A sum equal to the average amount granted by the Ecclesiastical Commissioners out of the annual appropriations from the surplus income of their common fund during the seven years ended the thirty-first day of October nineteen hundred and eleven by way of augmentation or endowment of benefices or towards the stipends of assistant clergy in Wales or Monmouthshire.

FOURTH SCHEDULE.

Method of Calculating Existing Interests for purposes of Commutation.

Section 18 (*b*).

(1) The value of the existing interest of the holder of an ecclesiastical office in any property shall be taken to be the value as on the first day of January nineteen hundred and thirteen of an annuity payable half-yearly, commencing on that date during the life of the person who was at that date holder of the office, of an amount equal to the annual value of the interest.

(2) In determining the value of such annuity as aforesaid, interest shall be calculated at the rate of three and a half per cent. per annum, and the tables to be used shall be the Tables of Mortality of Government Life Annuitants (1912), subject, however, to such allowance as may be determined, in default of agreement between the Welsh Commissioners and the representative body, by an actuary appointed by the Judicial Committee of the Privy Council, after giving the parties, if they desire it, an opportunity of being heard, to be the proper allowance to be made on account of the greater longevity of the clergy as compared with other classes of the community, and on account of any prospective decrease in the death rate.

(3) The annual value of the interest shall be taken to be—

(*a*) if the interest is an interest in specific property, the annual income derived from that property; and

(*b*) if the interest consists of a right to receive a fixed annual sum, the amount of that sum,

after deducting any tenths payable by the holder of the ecclesiastical office.

(4) The annual income derived from property shall be taken to be—

(*a*) in the case of tithe rentcharge, the amount of the tithe rentcharge according to the septennial average in force at the date of disestablishment, after deducting two and one-half per centum on account of the cost of collection, and the average amount paid during the three years preceding the passing of this Act on account of rates and land tax;

(*b*) in the case of land which is at the date of disestablishment subject to a contract of tenancy, the annual amount payable by way of rent under the contract by the tenant after deducting the amount of any fixed charges on the land and land tax (unless borne by the tenant) and, except where the contract is a repairing lease, after deducting nine per centum on account of repairs and other outgoings :

Provided that, if in any case the representative body so require, the annual income shall be taken to be—

(i) where the contract is a building lease of which less than sixty years remain unexpired, such amount as, in default of agreement, may be determined by arbitration having regard to the then present value of the reversion expectant on the determination of the lease; and

(ii) where the contract is a mining lease, such amount as, in default of agreement, may be determined by arbitration ; and

(iii) where the contract is not a building or a mining lease, one twenty-fifth of the gross value of the land as determined for the purposes of Part I. of the Finance (1909–10) Act, 1910 ;

(*c*) in the case of land which, at the date of disestablishment, is not subject to a contract of tenancy, the annual value of the land as ascertained at that date for the purposes of Schedule A. of the Income Tax Acts, after deducting the amount of any fixed charges on the land :

Provided that, if in any case the representative body so require, the annual income shall be taken to be one twenty-fifth of the gross value of the land as determined for the purposes of Part I. of the Finance (1909–10) Act, 1910.

(5) For the purposes of this Schedule—

The expression "fixed charge" has the same meaning as in the Finance (1909–10) Act, 1910 ;

The expressions "building lease" and "mining lease" have the same meanings as in the Settled Land Act, 1882 ;

The expression "repairing lease" means a lease under which the tenant undertakes to bear the cost of repairs ;

The expression "contract of tenancy" means a letting of or agreement for letting land for a term of years, or for lives, or for lives and years, or from year to year.

FIFTH SCHEDULE.

Section 18 (*e*).

METHOD OF CALCULATING ANNUITY TO WHICH HOLDER OF AN ECCLESIASTICAL OFFICE IS ENTITLED IN LIEU OF EXISTING INTEREST WHICH HAS BEEN COMMUTED.

(1) The annuity shall be an amount equal—

(*a*) if the interest is an interest in specific property, to the annual income derived from that property ; and

(*b*) if the interest consists of a right to receive a fixed sum, to the amount of that sum ;

after deducting any tenths payable by the holder of the ecclesiastical office.

(2) The annual income derived from property shall be taken to be—

(*a*) in the case of tithe rentcharge, the amount of tithe rentcharge according to the septennial average in force at the date of disestablishment, after deducting the average amount paid during the three years preceding the passing of this Act on account of the cost of collection and of rates and land tax ;

(*b*) in the case of land which is, at the date of disestablishment, subject to a contract of tenancy, the annual amount payable by way of rent under the contract by the tenant, after deducting the amount of any fixed charges on the land and land tax (unless borne by the tenant), and, except where the contract is a repairing lease, after deducting, on account of repairs and other outgoings, twelve and a half per cent. if the land comprises houses or farm building, and five per cent. in other cases :

Provided that, if the holder of the ecclesiastical office so requires, in any case where some amount other than the rent was taken to be the annual income for the purpose of determining the amount to be paid by the Welsh Commissioners to the representative body, that other amount shall be taken to be the annual income derived from the property :

(*c*) In the case of land which, at the date of disestablishment, is not subject to a contract of tenancy, the annual value of the land as ascertained at that date for the purposes of Schedule A. of the Income Tax Acts, after deducting the amount of any fixed charges :

Provided that, if the holder of the ecclesiastical office so requires, the annual income shall be taken to be one twenty-fifth of the gross value of the land as determined for the purposes of Part I. of the Finance (1909-10) Act, 1910, in any case where the annual income was so assessed for the purpose of determining the amount to be paid by the Welsh Commissioners to the representative body.

(3) Expressions in this Schedule have the same meanings as in the Fourth Schedule.

TABLE II.

A

TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS (including the PUBLIC ACTS of a Local Character) passed during the Session (arranged according to Chapter)

4 & 5 GEORGE 5.—A.D. 1914.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

ROYAL ASSENT, 30th April 1914.

P. i. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Scottish Insurance Companies (Superannuation Fund). (*Scottish Insurance Companies (Superannuation Fund) Order Confirmation.*)

P. ii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Alexander Scott's Hospital and the North of Scotland College of Agriculture. (*Alexander Scott's Hospital and the North of Scotland College of Agriculture Order Confirmation.*)

iii. An Act to constitute the borough of East Ham in the county of Essex a county borough to make provision in regard to the granting of superannuation allowances to officers and servants of the Corporation to make further provision in regard to the electricity undertaking of the Corporation and the health local government and improvement of the borough and for other purposes. (*East Ham Corporation.*)

iv. An Act to confer further powers upon the South Metropolitan Cemetery Company and for other purposes. (*South Metropolitan Cemetery Company.*)

v. An Act to constitute a body of Trustees for the purpose of acquiring the Crystal Palace and Park and to empower them to hold and manage the same as a place of public resort and recreation and for other purposes. (*Crystal Palace.*)

vi. An Act for empowering the British Gas Light Company Limited to expend further capital at Kingston-upon-Hull. (*British Gas Light Company Limited (Hull Station).*)

vii. An Act to amend the Colonial and Foreign Banks Guarantee Fund Incorporation Act 1899 and for other purposes. (*Colonial and Foreign Banks Guarantee Corporation.*)

ROYAL ASSENT, 8th July 1914.

viii. An Act to empower the Bengal and North Western Railway Company Limited to redeem a portion of its existing capital and for other purposes. (*Bengal and North Western Railway Company Limited.*)

ix. An Act to empower the Fishguard and Rosslare Railways and Harbours Company to construct additional harbour works at Fishguard and to abandon certain authorised harbour works and railways in connexion therewith and to authorise the Great Western Railway Company to subscribe to the capital of the said Company and for other purposes. (*Fishguard and Rosslare Railways and Harbours.*)

x. An Act to make further provision as to the affairs of the Corn Exchange Company and for regulating the user of the Corn Exchange (Mark Lane). (*Corn Exchange.*)

xi. An Act to extend the time for the purchase of lands for and for the completion of certain railways by the Rhymney Railway Company and for other purposes. (*Rhymney Railway.*)

xii. An Act to provide for the granting of superannuation allowances to the officers and pensions to the servants of the Metropolitan Borough of Chelsea and for other purposes. (*Chelsea Borough Council (Superannuation and Pensions).*)

xiii. An Act to extend the limits of supply of the South Bank and Normanby Gaslight and Coke Company Limited to repeal the powers of the Middlesbrough Corporation to

supply gas within the existing and extended limits of supply of that Company and for other purposes. (*South Bank and Normanby Gas.*)

xiv. An Act to confer powers upon the Urban District Council of Chiswick in relation to the acquisition of lands and for other purposes. (*Chiswick Urban District Council.*)

xv. An Act to confer further powers on the Didcot Newbury and Southampton Railway Company. (*Didcot Newbury and Southampton Railway.*)

xvi. An Act to authorise the Corporation of Chesterfield to construct and work additional tramways to execute certain street works and improvements to extend their area for the supply of electricity to make further provision for the improvement local government and health of the borough of Chesterfield and for other purposes. (*Chesterfield Corporation.*)

xvii. An Act to extend the time limited by the Bute Docks and Cardiff Railway Acts for the purchase of certain lands and for the completion of certain works and for other purposes. (*Cardiff Railway.*)

xviii. An Act to amend the Port of London Act 1908 and to extend the powers of raising money under such Act to confer further powers on the Port of London Authority and for other purposes. (*Port of London (Amendment).*)

xix. An Act to amend the Nottingham Mechanics Institution Act 1912. (*Nottingham Mechanics Institution (Amendment).*)

xx. An Act to provide for the transfer to the urban district council of Cleckheaton of so much of the Gas Undertaking of the Bradford Corporation as is situate within the Urban District of Cleckheaton to extend and define the limits of the Council for the supply of Gas and to confer further powers upon the Council in relation to their Gas Undertaking to authorise the Council to provide and run Motor Omnibuses and to make further and better provision with regard to the Improvement Health and Local Government of the District and for other purposes. (*Cleckheaton Urban District Council.*)

xxi. An Act to confer powers upon the urban district council of Mablethorpe in the county of Lincoln with respect to certain lands locally known as Sandhills or Dunes and situate within the urban district and for other purposes. (*Mablethorpe Urban District Council.*)

xxii. An Act to extend the time limited by the Taff Vale Railway Act 1912 for the purchase of certain lands and the completion of certain railways. (*Taff Vale Railway.*)

xxiii. An Act to confer powers upon the South Staffordshire Mines Drainage Commissioners for the borrowing of moneys and the purchase and sale of lands to confirm an agreement between the said Commissioners the Company of Proprietors of the Birmingham Canal Navigations and the Public Works Loan Commissioners to vary and amend the provisions of the South Staffordshire Mines Drainage Acts 1891 1894 and 1904 and for other purposes. (*South Staffordshire Mines Drainage.*)

xxiv. An Act to authorise the Abertillery and District Water Board to construct an additional reservoir and for other purposes. (*Abertillery and District Water Board.*)

xxv. An Act to empower the Stone Gas Light and Coke Company Limited to supply electricity and to confer further powers on and to change the name of the Company and for other purposes. (*Stone Gas and Electricity.*)

xxvi. An Act to empower the Bristol Waterworks Company to raise additional capital and for other purposes. (*Bristol Waterworks.*)

xxvii. An Act to empower the President Vice-Presidents Treasurers and Governors of St. George's Hospital to acquire lands for and to erect a new hospital to authorise the sale and disposal of the site of St. George's Hospital to provide for agreements with the Governors of Westminster Hospital for amalgamation and removal to a joint site of St. George's and Westminster Hospitals and for other purposes. (*St. George's Hospital.*)

xxviii. An Act to constitute the Butterley Company Limited a company limited by shares to amend the memorandum and articles of association and increase the capital of the Company and for other purposes. (*Butterley Company Limited.*)

xxix. An Act to alter and define the limits of the Kidsgrove Gaslight Company for the supply of gas to confer further powers on the Company and for other purposes. (*Kidsgrove Gas.*)

xxx. An Act to empower the London Electric Railway Company to construct new subways and for other purposes. (*London Electric Railway.*)

xxxi. An Act to authorise the Mold and Denbigh Junction Railway Company to improve its undertaking to raise further money and for other purposes. (*Mold and Denbigh Junction Railway.*)

xxxii. An Act to empower the Central London Railway Company to enlarge a portion of their railway tunnels to construct new subways and works and for other purposes. (*Central London Railway.*)

xxxiii. An Act to authorise the Undertakers of the Aire and Calder Navigation to construct a training wall or embankment in the River Ouse to confer further powers on the Undertakers in connection with their undertaking to amend the Acts relating thereto and for other purposes. (*Aire and Calder Navigation.*)

xxxiv. An Act to empower the urban district council of Ashington to supply gas within their district and the adjoining neighbourhood and for other purposes. (*Ashington Urban District Council.*)

xxxv. An Act to confer further powers upon the Rhondda and Swansea Bay Railway Company and for other purposes. (*Rhondda and Swansea Bay Railway.*)

xxxvi. An Act to empower the Valley Rural District Council to obtain a supply of water from the stream known as the Bodsuran stream and from springs and streams in the neighbourhood thereof in the parish of Llechcynfarwydd in the county of Anglesey and to supply water in the parish of Llanfaelog and for other purposes. (*Llanfaelog Water.*)

xxxvii. An Act to empower the Rhymney and Aber Valleys Gas and Water Company to acquire additional lands for gas and water purposes to raise additional capital to create a further amount of debenture stock and for other purposes. (*Rhymney and Aber Valleys Gas and Water.*)

xxxviii. An Act to empower the Lord Mayor Aldermen and Citizens of the city of Belfast to raise additional moneys for certain purposes connected with their Tramways Undertaking. (*Belfast Corporation.*)

xxxix. An Act to provide for an increase of the contributions to the Railway Clearing System Superannuation Fund by the Railway Clearing House certain railway companies and joint committees the Clearing House Committee (Ireland) and certain contributing members of the Fund and for other purposes. (*Railway Clearing System Superannuation Fund.*)

xl. An Act to confer further powers upon the Mansfield Railway Company with reference to the construction of works and the acquisition of lands and for other purposes. (*Mansfield Railway.*)

xli. An Act to extend the time limited for the construction of the Knoll Brook Waterworks by the mayor aldermen and burgesses of the County Borough of Barnsley to extend their powers with respect to their water and electricity undertakings to make further provision for the health local government and improvement of the borough and for other purposes. (*Barnsley Corporation.*)

xlii. An Act to amend the Acts relating to the Severn Navigation and to confer further powers on the Severn Commissioners and for other purposes. (*Severn Navigation.*)

xliii. An Act to authorise the Mexborough Urban District Council to acquire the undertaking of the Mexbrough and District Water Company Limited and to make further provision in regard to the water supply of the district and for other purposes. (*Mexborough Urban District Council.*)

P. xliv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bromley and East and West Molesey. (*Local Government Board's Provisional Orders Confirmation* (*No.* 1).)

P. xlv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Cardiff Haverfordwest Maryport and Southampton and the North Bierley Joint Hospital District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 2).)

P. xlvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Counties of Essex Oxford and Wilts. (*Local Government Board's Provisional Orders Confirmation* (*No.* 4).)

P. xlvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bridgend Burnley (Rural) Holmfirth Maidstone Runcorn (Rural) and Tynemouth. (*Local Government Board's Provisional Orders Confirmation* (*No.* 5).)

P. xlviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bootle Gravesend Huddersfield Leek Llanelly and Workington and the North East Durham Joint Small-pox Hospital District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 6).)

P. xlix. An Act to confirm a Provisional Order of the Local Government Board relating to Aberystwyth. (*Local Government Board's Provisional Order Confirmation* (*No.* 7).)

P. l. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Clydebank and District Water. (*Clydebank and District Water Order Confirmation.*)

P. li. An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Inverness Water and Gas. (*Inverness Water and Gas Order Confirmation.*)

P. lii. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage

district in the Parish of Rippingale in the County of Lincoln. (*Land Drainage* (*Rippingale*) *Provisional Order Confirmation.*)

P. liii. An Act to confirm a Provisional Order under the Inclosure Acts 1845 to 1899 relating to Gosford Green in the City of Coventry and the Parish of St. Michael Without Coventry and for purposes incidental thereto. (*Commons Regulation* (*Gosford Green*) *Provisional Order Confirmation.*)

P. liv. An Act to confirm a Scheme of the Charity Commissioners for the Application or Management of the Charity consisting of the Independent Chapel in Coombe Street in the Parish of St. Mary Major in the City of Exeter. (*Coombe Street* (*Exeter*) *Independent Chapel Scheme Confirmation.*)

P. lv. An Act to confirm a Scheme of the Charity Commissioners for the Application or Management of the Charity consisting of the Congregational Chapel and Trust Property in Foleshill Road in the City of Coventry. (*Foleshill Road* (*Coventry*) *Congregational Chapel Scheme Confirmation.*)

P. lvi. An Act to confirm a Scheme of the Charity Commissioners for the Application or Management of the Charities consisting of the Baptist Chapel Burial Ground Sunday Schools and Trust Property at Horsforth in the West Riding of the County of York. (*Horsforth* (*West Riding*) *Baptist Chapel Charities Scheme Confirmation.*)

P. lvii. An Act to confirm a Scheme of the Charity Commissioners for the Application or Management of the Charity consisting of the Congregational Chapel Manse and Trust Property in the Parish of Marden in the County of Kent. (*Marden* (*Kent*) *Congregational Chapel Charity Scheme Confirmation.*)

P. lviii. An Act to confirm a Scheme of the Charity Commissioners for the Application or Management of the Charity consisting of the Protestant Dissenting Chapel otherwise Providence Baptist Chapel in the Parish of Old Sleaford in the County of Lincoln. (*Old Sleaford* (*Lincolnshire*) *Chapel Charity Scheme Confirmation.*)

P. lix. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Provisional Order (Marriages) Act 1905. (*Provisional Order* (*Marriages*) *Confirmation.*)

P. lx. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Hawarden Rural District Kenilworth Ledbury Llanfairfechan Merthyr Tydfil (Amendment)

Newton-in-Makerfield Oulton Broad Ruthin Slaithwaite Thornton and Yeovil. (*Electric Lighting Orders Confirmation* (*No.* 1).)

P. lxi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Aboyne and District Ballater and Ellon. (*Electric Lighting Orders Confirmation* (*No.* 3).)

P. lxii. An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Kingstown. (*Electric Lighting Order Confirmation* (*No.* 8 *Kingstown*).)

P. lxiii. An Act to confirm a Provisional Order under the Salmon and Freshwater Fisheries Act 1907 relating to the River Dee and other waters. (*Dee Fisheries Provisional Order Confirmation.*)

P. lxiv. An Act to confirm a Provisional Order under the Inclosure Acts 1845 to 1899 relating to the Common Fields in the Parish of Elmstone Hardwicke in the County of Gloucester. (*Inclosure* (*Elmstone Hardwicke*) *Provisional Order Confirmation.*)

P. lxv. An Act to confirm a Provisional Order made by the Board of Trade under the Tramways Act 1870 relating to Rotherham Corporation Tramways. (*Tramways Order Confirmation.*)

P. lxvi. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Kilkenny Dungarvan Holywood the Rural District of Naas No. 1 and the Portarlington Joint Burial Board. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation* (*No.* 1).)

P. lxvii. An Act to confirm a Provisional Order made by the Board of Trade under the Western Valleys (Monmouthshire) Railless Electric Traction Act 1913 relating to Western Valleys (Monmouthshire) Railless Electric Traction. (*Western Valleys* (*Monmouthshire*) *Railless Electric Traction* (*Extension*) *Order Confirmation.*)

P. lxviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Lanarkshire Gas. (*Lanarkshire Gas Order Confirmation.*)

P. lxix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dundee Boundaries Extension and Gas. (*Dundee Boundaries Extension and Gas Order Confirmation.*)

P. lxx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Subway Railway. (*Glasgow Subway Railway Order Confirmation.*)

P. lxxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Colinton Tramways Extension. (*Colinton Tramways Extension Order Confirmation.*)

ROYAL ASSENT, 31st July 1914.

lxxii. An Act to confer further powers upon the Corporation of Preston with reference to the Ribble Navigation to authorise the Corporation to construct new streets and additional tramways to confer upon the Corporation further powers with reference to their water undertaking to make better provision for the health local Government and finance of the borough of Preston and for other purposes. (*Preston Corporation.*)

lxxiii. An Act to consolidate and convert the capital of the Brentford Gas Company to authorise the acquisition by the Brentford Gas Company of the undertakings of the Staines and Egham District Gas and Coke Company Limited and the Sunbury Gas Consumers Company Limited to confer further powers on the Brentford Gas Company and for other purposes. (*Brentford Gas.*)

lxxiv. An Act for incorporating and conferring powers on the Chelmsford Gas Company and for other purposes. (*Chelmsford Gas.*)

lxxv. An Act to empower the Urban District Council of Bedwas and Machen to supply gas within the parish of Machen Upper in their district and parts of certain adjoining parishes and for other purposes. (*Bedwas and Machen Urban District Council.*)

lxxvi. An Act to authorise the Market Rasen Water Company to construct new works to raise additional capital and for other purposes. (*Market Rasen Water.*)

lxxvii. An Act to confer further powers upon the Hull and Barnsley Railway Company in respect of their own undertaking and upon that Company and the Great Central Railway Company and the North Eastern Railway Company respectively in respect of joint undertakings to extend the time for the compulsory purchase of lands and for the completion of works authorised to be acquired and constructed by the Hull and Barnsley Railway Act 1909 to revive the powers for the construction of works authorised by the Hull Joint Dock Act 1899 and for other purposes. (*Hull and Barnsley Railway.*)

lxxviii. An Act to confer further powers upon the North Metropolitan Electric Power Supply Company and the North Metropolitan Electrical Power Distribution Company Limited and for other purposes. (*North Metropolitan Electric Power Supply.*)

lxxix. An Act to authorise the Norwich Electric Tramways Company to construct additional tramways and other works and for other purposes. (*Norwich Electric Tramways.*)

lxxx. An Act to extend the compulsory limits of water supply of the burgh of Motherwell to confer further powers as to water supply to construct and maintain sewers and sewage purification works to acquire lands to borrow money and for other purposes. (*Motherwell Water and Sewerage Purification.*)

lxxxi. An Act for incorporating and conferring powers on the Hightown Gas and Electricity Company. (*Hightown Gas and Electricity.*)

lxxxii. An Act to provide for the transfer of the undertaking of the Slaithwaite Gas Company to the Longwood Gas Company to confer further powers on the Longwood Gas Company and for other purposes. (*Longwood and Slaithwaite Gas.*)

lxxxiii. An Act to empower the Deal and Walmer Gas Company to supply electricity to change the name of the Company and for other purposes. (*Deal and Walmer Gas and Electricity.*)

lxxxiv. An Act to confer further powers upon the Shropshire Worcestershire and Staffordshire Electric Power Company and for other purposes. (*Shropshire Worcestershire and Staffordshire Electric Power.*)

lxxxv. An Act to confer further powers on the Yorkshire Electric Power Company. (*Yorkshire Electric Power.*)

lxxxvi. An Act to empower the Corporation of Birkenhead to provide and work motor omnibuses to make further provision with respect to the ferries of the Corporation and for other purposes. (*Birkenhead Corporation.*)

lxxxvii. An Act to confer on the Upper Medway Navigation and Conservancy Board further borrowing powers and for other purposes. (*Upper Medway Navigation and Conservancy.*)

lxxxviii. An Act to empower the mayor aldermen and burgesses of the borough of Newport to construct a bridge over the River Usk and tramways and other works and for other purposes. (*Newport Corporation.*)

lxxxix. An Act to empower the Beira Railway Company Limited to make adjustments in its accounts and for other purposes. (*Beira Railway Company.*)

xc. An Act for incorporating and conferring powers on the Skegness Gas Company. (*Skegness Gas.*)

xci. An Act to amend the Canal Tolls and Charges No. 3 (Aberdare &c. Canals) Order 1894 in relation to the Stourbridge Navigation and Acts relating to that navigation to confer further powers on the Company of Proprietors of the said navigation and for other purposes. (*Stourbridge Navigation.*)

xcii. An Act for incorporating and conferring powers on the Whitwell and District Gas Company. (*Whitwell and District Gas.*)

xciii. An Act to empower the Ellesmere Port and Whitby Urban District Council to purchase certain gasworks of the Shropshire Union Railways and Canal Company and to confer further powers upon the Council with regard to the supply of gas and electricity and for the improvement of the district. (*Ellesmere Port and Whitby Urban District Council.*)

xciv. An Act to extend the limits of supply of the Liverpool United Gaslight Company to provide for the conversion of the existing capital of the Company to change the name of the Company and for other purposes. (*Liverpool Gas.*)

xcv. An Act to confer additional powers upon the North Eastern Railway Company for the construction of new railways and other works and the acquisition of lands to authorise the construction of railways by the South Yorkshire Joint Line Committee and for other purposes. (*North Eastern Railway.*)

xcvi. An Act to empower the Corporation of Bristol to construct works and to enlarge certain cemeteries in the City of Bristol to confer further powers upon the Corporation and for other purposes. (*Bristol Corporation* (*Various Powers*).)

xcvii. An Act to empower the London United Tramways Limited to enter into working and other agreements with owners of tramways and railways and for other purposes. (*London United Tramways.*)

xcviii. An Act to authorise the construction of new roads and a road widening in the urban districts of Brentford Heston and Isleworth and Chiswick in the county of Middlesex and for other purposes. (*Middlesex County Council* (*Great West Road and Finance*).)

xcix. An Act to authorise the Port Talbot Railway and Docks Company to extend the piers at Port Talbot to construct a new entrance lock and for other purposes. (*Port Talbot Railway and Docks.*)

c. An Act to empower the South Suburban Gas Company to acquire lands and construct works at Erith and for other purposes. (*South Suburban Gas.*)

ci. An Act to empower the mayor aldermen and burgesses of the borough of Reading to construct additional tramways and to provide and run trolley vehicles and omnibuses and to make further provision for the health local government and improvement of the borough and for other purposes. (*Reading Corporation.*)

cii. An Act to confer further powers on the London Brighton and South Coast Railway Company to make provision with respect to the supply of electricity to the Company and for other purposes. (*London Brighton and South Coast Railway.*)

ciii. An Act to extend the limits of the Leyland Gas Company for the supply of gas to empower the Company to raise further capital and for other purposes. (*Leyland Gas.*)

civ. An Act to authorise the Tees Valley Water Board to construct additional waterworks to extend the limits of supply of the Board to make better provision with regard to their water undertaking and for other purposes. (*Tees Valley Water.*)

cv. An Act to extinguish the tolls levied in respect of the user of certain roads in and adjoining the county borough of Middlesbrough and to make provision for the maintenance of such roads to authorise the mayor aldermen and burgesses of the said county borough to acquire the undertaking of the North Ormesby Gas Company Limited to confer further powers upon them with respect to their gas and electricity undertakings to make further provision for the health local government and improvement of the borough and for other purposes. (*Middlesbrough Corporation.*)

cvi. An Act to empower the Lord Mayor Aldermen and Citizens of the city of Birmingham to construct additional tramways and street improvements and to provide and work omnibuses to make further provision in regard to the health local government and improvement of the city and for other purposes. (*Birmingham Corporation.*)

cvii. An Act for conferring further powers upon the Great Western Railway Company in respect of their own undertaking and upon that Company and the London and North

Western Railway Company in respect of an undertaking in which they are jointly interested and for other purposes. (*Great Western Railway.*)

cviii. An Act to authorise the transfer to the mayor aldermen and burgesses of the borough of Swindon of the site of portion of the Wilts and Berks Canal and the Coate Reservoir and the abandonment of the remainder of such canal and the sale or disposal of the site thereof and for other purposes. (*Swindon Corporation (Wilts and Berks Canal Abandonment).*)

P. cix. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Cashel and Castlebar the Rural Districts of Mountmellick and Sligo and the Bangor and Newtownards Joint Hospital District. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 2).*)

P. cx. An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to the Counties of Antrim and Londonderry. (*Local Government Board (Ireland) Provisional Order Confirmation (No. 3).*)

P. cxi. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Cavan and Londonderry. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 4).*)

P. cxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Dursley Gas Hayfield Gas High Wycombe Gas Amersham Beaconsfield and District Water and Elham Valley Water. (*Gas and Water Orders Confirmation (No. 1).*)

P. cxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Dronfield Gas North Middlesex Gas Uxbridge Gas Flint Gas and Water and Fisherton Anger and Bemerton Waterworks. (*Gas and Water Orders Confirmation (No. 2).*)

P. cxiv. An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Cowes. (*Pier and Harbour Order Confirmation (No. 1).*)

P. cxv. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Amlwch Armadale and Fraserburgh. (*Pier and Harbour Orders Confirmation (No. 3).*)

P. cxvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Nairn and Saltcoats. (*Pier and Harbour Orders Confirmation* (*No.* 4).)

P. cxvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Abercarn Chorley Farnham (Extension) Harwich Kingston-upon-Hull (Extension) Knottingley Leeds (Extension) and Warminster. (*Electric Lighting Orders Confirmation* (*No.* 2).)

P. cxviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Banstead Walton-on-the-Hill and Kingswood Beeston and District Bradford-on-Avon Feltham and District Gelligaer (Bedlinog and Fochriw) Heanor Eastwood and District Midhurst and District and Rickmansworth and Chorleywood. (*Electric Lighting Orders Confirmation* (*No.* 4).)

P. cxix. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Ayr Burgh (Extension) Edinburgh Corporation (Extension) and Galashiels and District. (*Electric Lighting Orders Confirmation* (*No.* 6).)

P. cxx. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Cowbridge and Penybont Hinckley and District Reading (York Town Bulk Supply) Watford (Extension) Whitstable and York (Extension). (*Electric Lighting Orders Confirmation* (*No.* 7).)

P. cxxi. An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to certain burghs and parishes in the county of Ayr. (*Electric Lighting Order Confirmation* (*No.* 9).)

P. cxxii. An Act to confirm a Provisional Order under the Sea Fisheries Act 1868 relating to Oyster and Mussel Fisheries in Emsworth Channel. (*Sea Fisheries* (*Emsworth*) *Provisional Order Confirmation.*)

P. cxxiii. An Act to confirm a Provisional Order under the Sea Fisheries Act 1868 relating to Oyster and Mussels Fisheries in the estuary of the River Yealm in the county of Devon. (*Sea Fisheries* (*Yealm*) *Provisional Order Confirmation.*)

P. cxxiv. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed Drainage District in the parishes of Brede Udimore

Beckley Peasmarsh Rye and Rye Foreign in the County of Sussex. (*Land Drainage (Tillingham Valley) Provisional Order Confirmation.*)

P. cxxv. An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1911 to enable the Councils of the Administrative Counties of Cambridge Cumberland and Surrey and the County Borough of Swansea to put in force the Lands Clauses Acts. (*Education Board Provisional Orders Confirmation (Cambs., &c.).*)

P. cxxvi. An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1911 to enable the London County Council to put in force the Lands Clauses Acts. (*Education Board Provisional Order Confirmation (London).*)

P. cxxvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bourne and Wokingham. (*Local Government Board's Provisional Orders Confirmation (Gas).*)

P. cxxviii. An Act to confirm a Provisional Order of the Local Government Board relating to Okehampton (Rural). (*Local Government Board's Provisional Order Confirmation (Housing).*)

P. cxxix. An Act to confirm a Provisional Order of the Local Government Board relating to Bournemouth. (*Local Government Board's Provisional Order Confirmation (No. 8).*)

P. cxxx. An Act to confirm a Provisional Order of the Local Government Board relating to Chippenham. (*Local Government Board's Provisional Order Confirmation (No. 9).*)

P. cxxxi. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bognor Bury Louth Pontefract Rotherham (two) and the District of the Derwent Valley Water Board. (*Local Government Board's Provisional Orders Confirmation (No. 10).*)

P. cxxxii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Abercarn Barking Town Barrow-in-Furness Liverpool Newcastle-upon-Tyne Scunthorpe and Whitby. (*Local Government Board's Provisional Orders Confirmation (No. 12).*)

P. cxxxiii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bury Cambridge Southampton and Stafford. (*Local Government Board's Provisional Orders Confirmation (No. 13).*)

P. **cxxxiv.** An Act to confirm a Provisional Order of the Local Government Board relating to Birmingham. (*Local Government Board's Provisional Order Confirmation (No. 14).*)

P. **cxxxv.** An Act to confirm certain Provisional Orders of the Local Government Board relating to the Amman Valley and the Ludworth and Mellor Joint Sewerage Districts the Halstead Joint Hospital District and the East Wilts United Districts. (*Local Government Board's Provisional Orders Confirmation (No. 15).*)

P. **cxxxvi.** An Act to confirm certain Provisional Orders of the Local Government Board relating to Bournemouth and Bradford. (*Local Government Board's Provisional Orders Confirmation (No. 16).*)

P. **cxxxvii.** An Act to confirm certain Provisional Orders of the Local Government Board relating to Chatham and the Rochester and Chatham Joint Sewerage District. (*Local Government Board's Provisional Orders Confirmation (No. 17).*)

P. **cxxxviii.** An Act to confirm certain Provisional Orders of the Local Government Board relating to Llandudno and the Rothwell Joint Cemetery District. (*Local Government Board's Provisional Orders Confirmation (No. 22).*)

Royal Assent, 7th August 1914.

cxxxix. An Act to extend the limits of supply of the Leighton Buzzard Gas Company to authorise the Company to raise additional capital and for other purposes. (*Leighton Buzzard Gas.*)

cxl. An Act to amend the enactments relating to the calorific power of the gas supplied by the Gas Light and Coke Company and to relieve that Company from their obligations as to the illuminating power of such gas and for other purposes. (*Gas Light and Coke Company's.*)

cxli. An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Leeds in regard to their tramways undertaking to empower them to construct street improvements and for other purposes. (*Leeds Corporation.*)

cxlii. An Act for incorporating and conferring powers on the Edenbridge and District Gas Company. (*Edenbridge and District Gas.*)

cxliii. An Act to confer additional powers upon the Midland Railway Company and the Cheshire Lines Committee for the construction of works and upon that Company and

Committee and the Midland and Great Northern Railways Joint Committee for the acquisition of lands and for other purposes. (*Midland Railway.*)

cxliv. An Act to confer upon the Skegness Urban District Council powers in relation to the supply of electricity the provision of motor omnibuses and to the local government of the district. (*Skegness Urban District Council.*)

cxlv. An Act to revive the powers for the compulsory purchase of lands and extend the periods for the completion of the railways pier and works authorised by the South Western and Isle of Wight Junction Railway Acts 1901 1903 and 1909 to empower the South Western and Isle of Wight Junction Railway Company to raise additional capital and for other purposes. (*South Western and Isle of Wight Junction Railway.*)

cxlvi. An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Manchester with reference to street works waterworks tramways main drainage works and the supply of electricity and otherwise for the better local government and improvement of the city to alter the wards thereof and for other purposes. (*Manchester Corporation.*)

cxlvii. An Act for authorising the West Gloucestershire Water Company to construct new works for extending their limits of supply and for other purposes. (*West Gloucestershire Water.*)

cxlviii. An Act to authorise the Alexandra (Newport and South Wales) Docks and Railway Company to construct railways in the county of Monmouth and for other purposes. (*Alexandra (Newport and South Wales) Docks and Railway.*)

cxlix. An Act to empower the London County Council to construct and work a tramway to make street improvements and other works and for other purposes. (*London County Council (Tramways and Improvements).*)

cl. An Act to authorise the Urban District Council of Northwich to construct new waterworks and to acquire additional lands to sanction and confirm the construction of existing waterworks to extend the limits for the supply of water by the Council to confer further powers on the Council in regard to their water undertaking and to make further and better provision for the improvement health and local government of the district and for other purposes. (*Northwich Urban District Council.*)

cli. An Act to extend the limits of supply of the Riddings District Gas Company and to empower them to acquire the undertaking of the Pinxton Gas Light and Coke Company Limited and for other purposes. (*Riddings District Gas.*)

clii. An Act to extend the limits for the supply of gas by the Southend Gas Company and for other purposes. (*Southend-on-Sea Gas.*)

cliii. An Act for incorporating and conferring powers on the Wadhurst and District Gas and Coke Company and to enable them to acquire the gas undertaking of the Ticehurst and District Water and Gas Company. (*Wadhurst and District Gas.*)

cliv. An Act to authorise the Brecon and Merthyr Tydfil Junction Railway Company to acquire additional lands to confirm an agreement with the Rhymney Railway Company with reference to running powers and to raise further money and for other purposes. (*Brecon and Merthyr Railway.*)

clv. An Act to extend and define the limits of the harbour of Poole to authorise the Poole Harbour Commissioners to construct works to acquire lands and to raise additional money to confer further powers upon the Commissioners and for other purposes. (*Poole Harbour.*)

clvi. An Act to authorise the Great Northern Railway Company to construct certain deviation railways and widenings of railway and other works and to acquire lands and to confer further powers upon that Company to extend the time for the completion of certain works and the purchase of certain lands and for other purposes. (*Great Northern Railway.*)

clvii. An Act to extend and define the limits of supply of the Hayward's Heath District Gas Company to provide for the conversion of the existing capital of the Company and to confer further powers upon the Company. (*Hayward's Heath Gas.*)

clviii. An Act to enable the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne to construct and work additional tramways in the urban districts of Longbenton and Weetslade to raise further money and for other purposes. (*Newcastle-upon-Tyne Corporation.*)

clix. An Act to confer further powers upon the Mayor Aldermen and Burgesses of the borough of Ossett with respect to the disposal of trade refuse and to make further provision in regard to the water and gas undertakings of the

Corporation and the health local government and improvement of the borough and for other purposes. (*Ossett Corporation.*)

clx. An Act to authorise the mayor aldermen and burgesses of the borough of Walsall to construct street works and a tramway to provide and work trolley vehicles and motor omnibuses to make further provision with regard to the supply of gas and electricity to make provision for increasing the number of wards of the borough and the number of councillors and aldermen and to make further provision with regard to the health local government and improvement of the borough and for other purposes. (*Walsall Corporation.*)

clxi. An Act to enable the urban district council of St. Anne's-on-the-Sea to acquire the Ashton Gardens and other properties and to confer further powers upon the Council in regard to the supply of gas and electricity and to the local government of the district. (*St. Anne's-on-the-Sea Improvement.*)

clxii. An Act to provide for the purchase by the Corporation of Bristol of the undertaking of the Bristol Tramways and Carriage Company Limited to empower the Corporation to work any tramways purchased by or belonging to them to enter into agreements for the purchase or working of tramways and for other purposes. (*Bristol Corporation (Tramways).*)

clxiii. An Act to provide for the transfer of the undertaking of the Porthcawl and District Gas Company to the urban district council of Porthcawl to confer further powers on the Council with respect to the supply of gas and water to empower the Council to maintain the harbour at Porthcawl and to make further and better provision for the improvement health and local government of the district and for other purposes. (*Porthcawl Urban District Council.*)

clxiv. An Act to authorise the Mayor Aldermen and Burgesses of the borough of Wimbledon to purchase lands in and adjoining the borough to divide the Saint Mary's and South Park Wards of the borough and to make further provision in regard to the electricity undertaking of the Corporation and the health local government and improvement of the borough and for other purposes. (*Wimbledon Corporation.*)

clxv. An Act to remove doubts concerning the pension fund of the Great Central Railway Company's salaried officers and clerks and to restore the pension rights of the members of that fund. (*Great Central Railway (Pension Fund).*)

clxvi. An Act to enable the Urban District Council of Weston-super-Mare to construct additional waterworks to enlarge the cemetery to acquire lands to borrow additional moneys and to confer upon that Council various powers for the health and good government of the district and for other purposes. (*Weston-super-Mare Urban District Council.*)

clxvii. An Act to incorporate the Wesleyan and General Assurance Society and to provide for the management of its affairs and to confer further powers upon the Society and for other purposes. (*Wesleyan and General Assurance Society.*)

clxviii. An Act to authorise the Corporation of the city of Glasgow to construct tramways and street works bridges and sewers to borrow money and for other purposes. (*Glasgow (Tramways Bridges &c.).*)

clxix. An Act to authorise the Corporation of London to execute street improvements at Spitalfields to make provision with respect to the use and testing of high-pressure gas meters within the city of London and for other purposes. (*City of London (Various Powers).*)

clxx. An Act to incorporate the Clergy Mutual Assurance Society and to provide for the management of its affairs and for other purposes. (*Clergy Mutual Assurance Society.*)

clxxi. An Act to enable the Isle of Thanet Gaslight and Coke Company to raise additional capital and for other purposes. (*Isle of Thanet Gas.*)

clxxii. An Act to regulate the expenditure on capital account and lending of money by the London County Council during the financial period from the first day of April one thousand nine hundred and fourteen to the thirtieth day of September one thousand nine hundred and fifteen and to enable the said Council to raise money by mortgage. (*London County Council (Money).*)

clxxiii. An Act to confirm an agreement between the City of Oxford Electric Tramways Limited and the mayor aldermen and citizens of the city of Oxford for the transfer to and removal by the corporation of the Company's tramways and for the provision by the Company of a service of motor omnibuses in lieu thereof and for other purposes. (*Oxford and District Tramways.*)

clxxiv. An Act to authorise the mayor aldermen and burgesses of the borough of Weymouth and Melcombe Regis to reconstruct the Weymouth Swing Bridge and the Backwater Bridge and to make other works upon and to fill in the Backwater and to confer further powers upon the

Corporation with respect to the regulation management and good government of the borough and for other purposes. (*Weymouth and Melcombe Regis Corporation.*)

P. clxxv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Castlebar Lurgan and Waterford. (*Electric Lighting Orders Confirmation* (*No.* 5).)

P. clxxvi. An Act to confirm a Provisional Order made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Balcombe Petrol Gas. (*Gas Order Confirmation No.* 2).)

P. clxxvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to East Kent Gas Garstang Gas Harpenden District Gas St. Ives (Hunts) Gas and Swansea Gas. (*Gas Orders Confirmation* (*No.* 3).)

P. clxxviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation. (*Glasgow Corporation Order Confirmation.*)

P. clxxix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Clyde Navigation. (*Clyde Navigation Order Confirmation.*)

P. clxxx. An Act to confirm a Provisional Order of the Local Government Board relating to Doncaster. (*Local Government Board's Provisional Order Confirmation* (*No.* 20).)

P. clxxxi. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Brighton and Hastings. (*Pier and Harbour Orders Confirmation* (*No.* 2).)

ROYAL ASSENT, 10th August, 1914.

P. clxxxii. An Act to confirm a Provisional Order of the Local Government Board relating to Wakefield. (*Local Government Board's Provisional Order Confirmation* (*No.* 3).)

P. clxxxiii. An Act to confirm a Provisional Order of the Local Government Board relating to Devonport Plymouth and East Stonehouse. (*Local Government Board's Provisional Order Confirmation* (*No.* 18).)

P. clxxxiv. An Act to confirm a Provisional Order of the Local Government Board relating to Worcester. (*Local Government Board's Provisional Order Confirmation* (*No.* 19).)

P. clxxxv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Kirkcaldy Corporation. (*Kirkcaldy Corporation Order Confirmation.*)

P. clxxxvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Wick Harbour. (*Wick Harbour Order Confirmation.*)

P. clxxxvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh and District Water. (*Edinburgh and District Water Order Confirmation.*)

clxxxviii. An Act to empower the lord mayor aldermen and citizens of the city of York to construct a new street and street improvements and to provide and run trolley vehicles and motor omnibuses to make further provision in regard to their light railway electricity and markets undertakings and the health local government and improvement of the city and for other purposes. (*York Corporation.*)

clxxxix. An Act to authorise the Corporation of the city of Sheffield to execute certain street improvements and to construct an additional tramway to confer on the Corporation further powers with respect to their markets undertaking to extend the boundaries of the city and for other purposes. (*Sheffield Corporation.*)

Royal Assent, 28th August, 1914.

P. cxc. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Blyth Hall (Transfer). (*Blyth Hall (Transfer) Order Confirmation.*)

P. cxci. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Coatbridge Drainage and Burgh Extension. (*Coatbridge Drainage and Burgh Extension Order Confirmation.*)

P. cxcii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dumbarton Burgh (Water &c.) (*Dumbarton Burgh (Water &c.) Order Confirmation.*)

P. cxciii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to North British Railway (Invergarry and Fort Augustus Railway Vesting). (*North British Railway (Invergarry and Fort Augustus Railway Vesting) Order Confirmation.*)

PRIVATE ACTS.

PRINTED BY THE KING'S PRINTER, AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

ROYAL ASSENT, 31st July, 1914.

1. An Act to amend the De Trafford Estate Act 1904 and to extend the powers of the Trustees of the will of Sir Humphrey de Trafford and to approve a resettlement of the De Trafford Estates dated the eighth day of May one thousand nine hundred and fourteen and for other purposes. (*De Trafford Estate.*)

2. An Act to appoint Trustees and confer powers of sale and other powers with reference to the estates of Falkland and Pluscarden and for other purposes. (*Falkland and Pluscarden Estates.*)

3. An Act to establish Commissioners to maintain flood defences in the parish of Hesketh-with-Becconsall in the county of Lancaster and to transfer certain lands and works to and to confer powers on such Commissioners and for other purposes. (*Hesketh Estate (Flood Defences).*)

TABLE IIA.

A

TABLE

OF

The Titles of the Local and Private Acts (including the Public Acts of a Local Character) passed during the Session 4 & 5 GEORGE 5.—A.D. 1914.

ARRANGED ALPHABETICALLY.

Abertillery and District Water Board. c. xxiv.
Aire and Calder Navigation. c. xxxiii.
Alexander Scott's Hospital and the North of Scotland College of Agriculture Order Confirmation. c. ii.
Alexandra (Newport and South Wales) Docks and Railway. c. cxlviii.
Ashington Urban District Council. c. xxxiv.

Barnsley Corporation. c. xli.
Bedwas and Machen Urban District Council. c. lxxv.
Beira Railway Company. c. lxxxix.
Belfast Corporation. c. xxxviii.
Bengal and North Western Railway Company Limited. c. viii.
Birkenhead Corporation. c. lxxxvi.
Birmingham Corporation. c. cvi.
Blyth Hall (Transfer) Order Confirmation. c. cxc.
Brecon and Merthyr Railway. c. cliv.
Brentford Gas. c. lxxiii.
Bristol Corporation (Tramways). c. clxii.
Bristol Corporation (Various Powers). c. xcvi.
Bristol Waterworks. c. xxvi.

British Gas Light Company Limited (Hull Station). c. vi.
Butterley Company Limited. c. xxviii.

Cardiff Railway. c. xvii.
Central London Railway. c. xxxii.
Chelmsford Gas. c. lxxiv.
Chelsea Borough Council (Superannuation and Pensions). c. xii.
Chesterfield Corporation. c. xvi.
Chiswick Urban District Council. c. xiv.
City of London (Various Powers). c. clxix.
Cleckheaton Urban District Council. c. xx.
Clergy Mutual Assurance Society. c. clxx.
Clyde Navigation Order Confirmation. c. clxxix.
Clydebank and District Water Order Confirmation. c. l.
Coatbridge Drainage and Burgh Extension Order Confirmation. c. cxci.
Colinton Tramways Extension Order Confirmation. c. lxxi.
Colonial and Foreign Banks Guarantee Corporation. c. vii.
Commons Regulation (Gosford Green) Provisional Order Confirmation. c. liii.
Coombe Street (Exeter) Independent Chapel Scheme Confirmation. c. liv.
Corn Exchange. c. x.
Crystal Palace. c. v.

De Trafford Estate. c. *i*.
Deal and Walmer Gas and Electricity. c. lxxxiii.
Dee Fisheries Provisional Order Confirmation. c. lxiii.
Didcot Newbury and Southampton Railway. c. xv.
Dumbarton Burgh (Water &c.) Order Confirmation. c. cxcii.
Dundee Boundaries Extension and Gas Order Confirmation. c. lxix.

East Ham Corporation. c. iii.
Edenbridge and District Gas. c. cxlii.
Edinburgh and District Water Order Confirmation. c. clxxxvii.

Education Board Provisional Orders Confirmation :—
(Cambs., &c.). c. cxxv.
(London). c. cxxvi.
Electric Lighting Orders Confirmation :—
(No. 1). c. lx.
(No. 2). c. cxvii.
(No. 3). c. lxi.
(No. 4). c. cxviii.
(No. 5). c. clxxv.
(No. 6). c. cxix.
(No. 7). c. cxx.
(No. 8). c. lxii.
(No. 9). c. cxxi.
Ellesmere Port and Whitby Urban District Council. c. xciii.

Falkland and Pluscarden Estates. c. *2*.
Fishguard and Rosslare Railways and Harbours. c. ix.
Foleshill Road (Coventry) Congregational Chapel Scheme Confirmation. c. lv.

Gas Light and Coke Company's. c. cxl.
Gas Orders Confirmation :—
(No. 2). c. clxxvi.
(No. 3). c. clxxvii.
Gas and Water Orders Confirmation :—
(No. 1). c. cxii.
(No. 2). c. cxiii.
Glasgow (Tramways, Bridges, &c.). c. clxviii.
Glasgow Corporation Order Confirmation. c. clxxviii.
Glasgow Subway Railway Order Confirmation. c. lxx.
Great Central Railway (Pension Fund). c. clxv.
Great Northern Railway. c. clvi.
Great Western Railway. c. cvii.

Hayward's Heath Gas. c. clvii.
Hesketh Estate (Flood Defences). c. *3*.
Hightown Gas and Electricity. c. lxxxi.
Horsforth (West Riding) Baptist Chapel Charity Scheme Confirmation. c. lvi.
Hull and Barnsley Railway. c. lxxvii.

Inclosure (Elmstone Hardwicke) Provisional Order Confirmation. c. lxiv.
Inverness Water and Gas Order Confirmation. c. li.
Isle of Thanet Gas. c. clxxi.

Kidsgrove Gas. c. xxix.
Kirkcaldy Corporation Order Confirmation. c. clxxxv.

Lanarkshire Gas Order Confirmation. c. lxviii.
Land Drainage Provisional Orders Confirmation :—
(Rippingale). c. lii.
(Tillingham Valley). c. cxxiv.
Leeds Corporation. c. cxli.
Leighton Buzzard Gas. c. cxxxix.
Leyland Gas. c. ciii.
Liverpool Gas. c. xciv.
Llanfaelog Water. c. xxxvi.
Local Government Board's Provisional Orders Confirmation :—

(No. 1). c. xliv.	(No. 13). c. cxxxiii.
(No. 2). c. xlv.	(No. 14). c. cxxxiv.
(No. 3). c. clxxxii.	(No. 15). c. cxxxv.
(No. 4). c. xlvi.	(No. 16). c. cxxxvi.
(No. 5). c. xlvii.	(No. 17). c. cxxxvii.
(No. 6). c. xlviii.	(No. 18). c. clxxxiii.
(No. 7). c. xlix.	(No. 19). c. clxxxiv.
(No. 8). c. cxxix.	(No. 20). c. clxxx.
(No. 9). c. cxxx.	(No. 22). c. cxxxviii.
(No. 10). c. cxxxi.	(Gas). c. cxxvii.
(No. 12). c. cxxxii.	(Housing). c. cxxviii.

Local Government Board (Ireland) Provisional Orders Confirmation :—

(No. 1). c. lxvi.	(No. 3). c. cx.
(No. 2). c. cix.	(No. 4). c. cxi.

London Brighton and South Coast Railway. c. cii.
London County Council (Money). c. clxxii.
———————— (Tramways and Improvements). c. cxlix.
London Electric Railway. c. xxx.
London United Tramways. c. xcvii.
Longwood and Slaithwaite Gas. c. lxxxii.

Mablethorpe Urban District Council. c. xxi.
Manchester Corporation. c. cxlvi.

Mansfield Railway. c. xl.
Marden (Kent) Congregational Chapel Charity Scheme Confirmation. c. lvii.
Market Rasen Water. c. lxxvi.
Marriages Provisional Order. See Provisional Order (Marriages) Confirmation.
Mexborough Urban District Council. c. xliii.
Middlesbrough Corporation. c. cv.
Middlesex County Council (Great West Road and Finance). c. xcviii.
Midland Railway. c. cxliii.
Mold and Denbigh Junction Railway. c. xxxi.
Motherwell Water and Sewerage Purification. c. lxxx.

Newcastle-upon-Tyne Corporation. c. clviii.
Newport Corporation. c. lxxxviii.
North British Railway (Invergarry and Fort Augustus Railway Vesting) Order Confirmation. c. cxciii.
North Eastern Railway. c. xcv.
North Metropolitan Electric Power Supply. c. lxxviii.
Northwich Urban District Council. c. cl.
Norwich Electric Tramways. c. lxxix.
Nottingham Mechanics Institution (Amendment). c. xix.

Old Sleaford (Lincolnshire) Chapel Charity Scheme Confirmation. c. lviii.
Ossett Corporation. c. clix.
Oxford and District Tramways. c. clxxiii.

Pier and Harbour Orders Confirmation:—
(No. 1). c. cxiv. | (No. 3). c. cxv.
(No. 2). c. clxxxi. | (No. 4). c. cxvi.
Poole Harbour. c. clv.
Port of London (Amendment). c. xviii.
Port Talbot Railway and Docks. c. xcix.
Porthcawl Urban District Council. c. clxiii.
Preston Corporation. c. lxxii.
Provisional Order (Marriages) Confirmation. c. lix.

Railway Clearing System Superannuation Fund. c. xxxix.
Reading Corporation. c. ci.
Rhondda and Swansea Bay Railway. c. xxxv.
Rhymney Railway. c. xi.
Rhymney and Aber Valleys Gas and Water. c. xxxvii.
Riddings District Gas. c. cli.

St. Anne's-on-the-Sea Improvement. c. clxi.
St. George's Hospital. c. xxvii.
Scottish Insurance Companies (Superannuation Fund) Order Confirmation. c. i.
Sea Fisheries Provisional Orders Confirmation:—
(Emsworth). c. cxxii.
(Yealm). c. cxxiii.
Severn Navigation. c. xlii.
Sheffield Corporation. c. clxxxix.
Shropshire Worcestershire and Staffordshire Electric Power. c. lxxxiv.
Skegness Gas. c. xc.
Skegness Urban District Council. c. cxliv.
South Bank and Normanby Gas. c. xiii.
South Metropolitan Cemetery Company. c. iv.
South Staffordshire Mines Drainage. c. xxiii.
South Suburban Gas. c. c.
South Western and Isle of Wight Junction Railway. c. cxlv.
Southend-on-Sea Gas. c. clii.
Stone Gas and Electricity. c. xxv.
Stourbridge Navigation. c. xci.
Swindon Corporation (Wilts and Berks Canal Abandonment). c. cviii.

Taff Vale Railway. c. xxii.
Tees Valley Water. c. civ.
Tramways Order Confirmation. c. lxv.

Upper Medway Navigation and Conservancy. c. lxxxvii.

Wadhurst and District Gas. c. cliii.
Walsall Corporation. c. clx.
Wesleyan and General Assurance Society. c. clxvii.
West Gloucestershire Water. c. cxlvii.
Western Valleys (Monmouthshire) Railless Electric Traction (Extension) Order Confirmation. c. lxvii.
Weston-super-Mare Urban District Council. c. clxvi.
Weymouth and Melcombe Regis Corporation. c. clxxiv.
Whitwell and District Gas. c. xcii.
Wick Harbour Order Confirmation. c. clxxxvi.
Wimbledon Corporation. c. clxiv.

York Corporation. c. clxxxviii.
Yorkshire Electric Power. c. lxxxv.

TABLE III.

Showing the Effect of the Year's Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 4 & 5 GEO. 5.*

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 4 & 5 Geo. 5.
25 Edw. 3. St. 1	Crown	Rep. from "and in the right of other."	17, s. 28, Sch. III.
42 Edw. 3. c. 10	Naturalization	Repealed	17, s. 28, Sch. III.
3 Jas. 1. c. 10	Conveyance of Malefactors	Rep. so far as unrepealed	58, s. 44, Sch. IV.
12 & 13 Will. 3. c. 2.	Act of Settlement	S. 3 rep. in part	17, s. 28, Sch. III.
7 Ann. c. 5	Foreign Protestants Naturalization.	Repealed	17, s. 28, Sch. III.
4 Geo. 2. c. 21	British Nationality	Repealed	17, s. 28, Sch. III.
15 Geo. 2. c. 24	Justices' Commitment	Repealed	58, s. 44, Sch. IV.
26 Geo. 2. c. 14	Justices' Clerks' Fees	Repealed	58, s. 44, Sch. IV.
27 Geo. 2. : c. 3	Offenders' Conveyance	Repealed	58, s. 44, Sch. IV.
c. 16	Justices' Clerks' Fees	S. 4 rep.	58, s. 44, Sch. IV.
13 Geo. 3. c. 21	British Nationality	Repealed	17, s. 28, Sch. III.
39 & 40 Geo. 3. c. 98	Accumulations	S. 2 rep. as to S.	43, s. 9.
7 Geo. 4. c. 74	Prisons (I.)	S. 109 rep.; s. 6 rep. in part	58, s. 44, Sch. IV.
1 & 2 Will. 4. c. 44	Tumultuous Risings (I.)	Ss. 2–6 rep. in part	58, s. 44, Sch. IV.
5 & 6 Will. 4. c. 50	Highways	S. 110 rep. so far as relating to Clerks to Justices.	58, s. 44, Sch. IV.
7 Will. 4 & 1 Vict. c. 25.	Dublin Police	S. 27 amended	58, s. 43 (11).
5 & 6 Vict. : c. 28	Capital Punishment (I.)	S. 8 rep. in part	58, s. 44, Sch. IV.
c. 35	Income Tax	S. 55 applied; s. 100 extended	10, ss. 5, 9 (2).
c. 51	Treason	S. 2 rep. in part	58, s. 44, Sch. IV.
c. 89	Drainage (I.)	Ss. 92, 94, 95 applied with mods.	55, s. 2 (2).
6 & 7 Vict. c. 96	Libel	S. 3 amended	58, s. 35, Sch. III.

* Acts continued annually by the Expiring Laws Continuance Act are not noticed in this Table.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 4 & 5 Geo. 5.
11 & 12 Vict. :			
c. 36	Entail Amendment - -	Ss. 47–49 applied - - -	43, s. 8.
c. 42	Indictable Offences - -	S. 26 rep. in part - - -	58, s. 44, Sch. IV.
c. 43	Summary Jurisdiction - -	S. 7 ext.; ss. 14, 21, 23, 25 rep. in part.	58, ss. 29, 44, Sch. IV.
		S. 11 restricted - - -	85, s. 1.
13 & 14 Vict. c. 101	Poor Law Amendment - -	S. 7 rep. in part - - -	58, s. 44, Sch. IV.
14 & 15 Vict. :			
c. 55	Criminal Justice Administration.	S. 9 rep., except as to Clerks of Peace.	58, s. 44, Sch. IV.
c. 90	Fines (I.) - - - - -	S. 3 (2) repealed - - -	58, s. 43 (5).
c. 92	Summary Jurisdiction (I.) -	S. 23 amended - - -	58, s. 43 (11).
c. 93	Petty Sessions (I.) - -	S. 24 am.; s. 22 ext. in part; s. 22 (*par.* 6) rep.	58, ss. 43 (7) (11), 44, Sch. IV.
20 & 21 Vict. :			
c. 43	Summary Jurisdiction - -	S. 3 rep. in part; Sch. A. rep.	58, s. 44, Sch. IV.
c. 72	Police (S.) - - - -	Applied - - - -	53, s. 2.
22 Vict. c. 26 -	Superannuation - - -	Ss. 4, 12 rep. with savings -	86, ss. 4 (3), 5.
22 & 23 Vict. c. 52	Dublin Police - - -	S. 5 rep. in part - - -	54, s. 7, Sch. IV.
23 & 24 Vict. c. 135	Metropolitan Police - -	Extended to S. - - -	44.
24 & 25 Vict. :			
c. 96	Larceny - - - -	Ss. 46–48 am. - - -	58, s. 35, Sch. III.
c. 97	Malicious Damage - -	S. 51 rep. in part; ss. 52, 53 rep. as to E.	58, ss. 14 (2), 44, Sch. IV.
26 & 27 Vict. c. 44	Garrotters - - - -	S. 1 rep. in part - - -	58, s. 44, Sch. IV.
27 & 28 Vict. c. 25	Naval Prize - - - -	Ss. 7, 8, 18–29, 32. 33, 36 rep. prosp.; s. 41 rep. in part prosp.	13, s. 1 (1), Sch.
28 & 29 Vict. :			
c. 68	Ecclesiastical Commission (E.).	S. 1 amended - - -	5, s. 1 (1).
c. 70	Constabulary (I.) Amendment.	Sch. rep. in part - - -	54, s. 7, Sch. IV.
29 & 30 Vict. :			
c. 17	Cattlesheds in Burghs (S.) -	Restricted - - - -	46, s. 31 (3).
c. 71	Glebe Lands (S.) - - -	S. 19 extended - - -	48, s. 16.
32 & 33 Vict. c. 62	Debtors - - - -	Ss. 11, 12, 14–16 rep. - -	59, s. 168, Sch. VI.
33 & 34 Vict. :			
c. 14	Naturalization - - -	Repealed - - - -	17, s. 28, Sch. III.
c. 89	Queen Anne's Bounty - -	S. 1 am. - - - -	5, s. 1 (1).
c. 102	Naturalization Oath - -	Repealed - - - -	17, s. 28, Sch. III.
35 & 36 Vict. c. 65	Bastardy Laws Amendment	Ss. 3, 4 am. - - - -	6, s. 5.
		S. 4 am. - - - -	58, s. 32 (2).
36 & 37 Vict. c. 9	Bastardy Laws Amendment	S. 5 am. - - - -	6, s. 5.
37 & 38 Vict. :			
c. 80	Constabulary (I.) - -	S. 5 am.; s. 2 (*par.* 3) rep. -	54, ss. 5, 7, Sch IV.
c. 94	Conveyancing (S.) - -	Ss. 15–17, 23 rep.; s. 18 rep. in part.	48, s. 24, Sch. E.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 4 & 5 Geo. 5.
38 & 39 Vict. :			
c. 45	Sinking Fund - - -	S. 1 amended - - -	10, s. 17.
c. 55	Public Health - - -	Ss. 116–119 extended - -	49, s. 12 (3).
39 & 40 Vict. :			
c. 36	Customs Consolidation - -	S. 246 and Table of Fees rep. so far as it relates to E.	58, s. 44, Sch. IV.
c. 61	Divided Parishes and Poor Law Amendment.	S. 32 repealed - - -	58, s. 44, Sch. IV.
c. 79	Elementary Education -	S. 12 amended - - -	45, s. 5.
40 & 41 Vict. :			
c. 21	Prison - - - - -	Applied ; ss. 24–27, 41 rep., s. 57 rep. in part.	58, ss. 13 (3), 17 44, Sch. IV.
c. 43	Justices Clerks - - -	S. 6 am. ; s. 8 rep. - -	58, ss. 34 (6), 44, Sch. IV.
c. 49	General Prisons (I.) - -	Ss. 36–39, 48 rep. ; ss. 3, 12 rep. in part ; s. 24 explained.	58, ss. 43 (9), 44, Sch. IV.
41 & 42 Vict. c. 74	Contagious Diseases of Animals.	Rep. as to S. - - -	46, s. 31, Sch.
		S. 34 extended, and re-enacted as to London.	49, ss. 2 (1), 17 (3).
42 & 43 Vict. :			
c. 21	Customs and Inland Revenue	S. 8 ext. during state of war -	64, s. 1.
c. 49	Summary Jurisdiction - -	Ss. 10, 12, Sch. am. ; ss. 29, 36 ext. ; s. 41 appl. ; ss. 5, 22 (2) rep. in part ; ss. 14, 18, 21 (3) (4), 27 (*par.* 6), 38 rep.	58, ss. 15, 22, 25 (1), 29, 33, 40 (1), 44, Sch. IV.
43 & 44 Vict. :			
c. 13	Births and Deaths Registration (I.).	S. 36 partly re-enacted -	58, s. 43 (3).
c. 19	Taxes Management - -	S. 59 applied - - -	10, s. 5.
44 & 45 Vict. :			
c. 24	Summary Jurisdiction (Process).	Extended - - - -	58, s. 40 (2).
c. 58	Army - - - - -	Ss. 115, 145, 179 (15), 180 (2) am.	2, ss. 4–7.
		Ss. 115 (2) am. ; ss. 31, 115–117, 119, 121 ext.	26.
		S. 5 applied - - - -	29.
		Ss. 108*a*, &c., 115, &c., ext. to Naval Forces.	70.
		S. 156 ext. to Naval Forces -	89, s. 1.
45 & 46 Vict. :			
c. 63	Constabulary (I.) Amendment	S. 3 ext. ; s. 2 rep. in part ; Sch. rep. (except as to County Inspectors).	54, ss. 2 (2), 7, Sch. IV.
c. 75	Married Women's Property -	Ss. 1 (5), 3 rep. as to E. -	59, s. 168, Sch. VI.
46 & 47 Vict. :			
c. 14	Constabulary (I.) - -	Ss. 2, 13 rep. in part ; Schs. I., III. rep.	54, s. 7, Sch. IV.
		Extended - - - -	84, s. 1 (2).
c. 52	Bankruptcy - - - -	Rep., except ss. 1, 2, 32–34, 122, 145, 146, and in part ss. 42, 127.	59, s. 168, Sch. VI.
47 & 48 Vict. :			
c. 9	Bankruptcy Appeals (County Courts).	Repealed - - - -	59, s. 168, Sch. VI.
c. 36	Prisons (I.) Amendment -	S. 3 explained - - -	58, s. 43 (9).
c. 57	Pensions - - - -	S. 3 rep. with savings - -	86, s. 5.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 4 & 5 Geo. 5.
48 & 49 Vict. :			
c. 12	Constabulary (I.) - -	S. 1 rep. in part - - - -	54, s. 7, Sch. IV.
c. 47	Bankruptcy (Office Accommodation).	Repealed - - - - -	59, s. 168, Sch. VI.
49 & 50 Vict. :			
c. 12	Bankruptcy (Office Accommodation).	Repealed - - - - -	59, s. 168, Sch. VI.
c. 32	Contagious Diseases of Animals.	Repealed as to S. - - -	46, s. 31, Sch.
		S. 9 (3) (5) (6) rep. as to E., s. 9 re-enacted as to London.	49, ss. 17 (3), 18 (3), Sch. IV.
50 & 51 Vict. :			
c. 57	Deeds of Arrangement -	Rep., except as to I. - -	47, s. 31, Sch.
c. 66	Bankruptcy (Discharge and Closure).	Repealed - - - - -	59, s. 168, Sch. VI.
51 & 52 Vict. :			
c. 41	Local Government - -	S. 120 applied - - -	49, s. 13.
c. 62	Preferential Payments in Bankruptcy.	Rep., so far as already unrepealed.	59, s. 168, Sch VI.
52 & 53 Vict. c. 50	Local Government (S.) -	S. 7 repealed - - -	39, s. 4, Sch.
		S. 52 (2) (3) applied - -	46, s. 3 (6).
53 & 54 Vict. :			
c. 45	Police - - - - - -	S. 4 (5) applied - - -	30, ss. 2 (1), 3.
c. 71	Bankruptcy - - - -	S. 25 repealed - - -	47, s. 31, Sch.
		Rep., except ss. 9, 12, 25, 31 (1), and in part s. 28.	59, s. 168, Sch. VI.
54 & 55 Vict. :			
c. 21	Savings Banks - - -	S. 13 repealed - - -	59, s. 168, Sch. VI.
c. 76	Public Health, London -	Ss. 47, 115 ext., s. 28 rep. -	49, ss. 12 (3), 18 (3), Sch. IV.
55 & 56 Vict. c. 55	Burgh Police (S.) - - -	Ss. 96 98 am. : s. 96 rep. in part.	53, s. 2.
56 & 57 Vict. :			
c. 66	Rules Publication - - -	S. 1 applied - - -	49, s. 2 (5).
c. 73	Local Government - -	S. 63 applied - - -	49, s. 10 (2).
57 & 58 Vict. :			
c. 30	Finance - - - -	Ss. 5 (2), 21 (1), 23 (16) am. ; ss. 5 (1) (4), 21 (4) rep. ; s. 17 rep. in part.	10, ss. 14, 18, Sch. II.
c. 57	Diseases of Animals - -	S. 17, Schs. II., III. modified ; s. 71 (5) am.	40, s. 1.
c. 58	Local Government (S.) -	S. 19 (1) repealed - -	39, s. 4, Sch.
c. 60	Merchant Shipping - -	Ss. 94, 95 repealed - -	42, s. 1 (3)
		Ss. 272 (3) (*b*), 427, 733 am. ; ss. 225 (1) (*b*), 276, 277, 279-282, 430 (2) (3), 459, 460 appl. ; ss. 427, 724 ext. ; s. 289 rest., s. 427 (2) rep.	50, ss. 6 (3), 7 (4), 8 (2), 11, 12, 19 (1) (5), 22, 27.
58 & 59 Vict. c. 43	Naturalization - - -	Repealed - - - - -	17, s. 28, Sch. III.
59 & 60 Vict. c. 12	Derelict Vessels - - -	Repealed - - - - -	50, s. 2 (5).
60 & 61 Vict. :			
c. 24	Finance - - - -	S. 5 extended - - -	10, s. 9 (1) (*b*).
c. 38	Public Health (S.) - -	Ss. 43, 141, 156, 159, 164, 183-187, Sch. II. appl. ; ss. 60, 61 rep.	46, ss. 3 (4), 8 (2), 18 (10), 24 (2), 28, 30, 31, Sch.
61 & 62 Vict. :			
c. 37	Local Government (I.) - -	S. 8 (5)–(10) appl. with mods. ; s. 10 (1) (2) ext.	55, ss. 3, 5 (2).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 4 & 5 Geo. 5.
61 & 62 Vict.:			
c. 41	Prison	S. 6 (1) (2) appl.; s. 6 (2) (3) am.; ss. 3, 6, 11, 12 ext. to I. with mods.; ss. 6 (4), 9 rep.	58, ss. 16, 43 (8), 44, Sch. IV.
c. 57	Elementary School Teachers' Superannuation.	Amended temp.	66.
62 & 63 Vict. c. 14	London Government	Sch. II., Part I. rep. in part	49, s. 18 (3), Sch. IV.
63 & 64 Vict.:			
c. 7	Finance	S. 11 restricted	10, s. 14 (*c*).
c. 31	Isle of Man (Customs)	Ss. 1, 2 (*par.* 2) cont.	19, s. 1.
38	Isle of Man (Teachers' Superannuation).	Amended temp.	66.
c. 40	Channel Islands (Teachers' Superannuation).	Amended temp.	66.
c. 49	Town Councils (S.)	Ss. 43, 45, Schs. IV., V. mod.: s. 13 (*par.* 1) rep.	39, s. 4, Sch.
2 Edw. 7. c. 37	Osborne Estate	S. 1 (4) (*b*) ext.	36.
3 Edw. 7.:			
c. 13	Elementary Education Amendment.	Repealed	45, s. 1 (2).
c. 33	Burgh Police (S.)	Ss. 83–92 rep.	46, s. 31, Sch.
c. 34	Town Councils (S.)	S. 5 modified	39, s. 2.
4 Edw. 7.:			
c. 15	Prevention of Cruelty to Children.	S. 15 repealed	58, s. 44, Sch. IV.
c. 21	Capital Expenditure (Money)	Applied	31, s. 2 (4). 52, s. 2 (4).
5 Edw. 7. c. 15	Trade Marks	S. 64 (10 (*c*) amended S. 60 ext.; s. 60 (3) rest.	c. 16. c. 27.
6 Edw. 7.:			
c. 7	Police (Superannuation)	S. 4 applied	80, ss. 2 (1), 3.
c. 18	Isle of Man (Customs)	S. 1 cont.	19, s. 1.
c. 57	Education (E.) Provision of Meals.	S. 3 rep. in part	20, s. 1.
7 Edw. 7.:			
c. 17	Probation of Offenders	Ss. 2 (2), 5 rep.	58, ss. 8, 9, 44, Sch. IV.
c. 23	Criminal Appeal	Applied prosp.	58, s. 10 (5) (6).
c. 29	Patents and Designs	S. 91 (1) amended S. 86 extended	18. 27.
c. 32	Public Health	S. 1 extended S. 2 applied	49, s. 8. 46, s. 12 (3).
c. 53	Public Health Acts Amendment.	S. 53 ext. to London	49, s. 17 (1).
8 Edw. 7.:			
c. 15	Costs in Criminal Cases	Applied prosp.	58, s. 10 (4) (6).
c. 28	Agricultural Holdings	S. 11 extended	7.
c. 59	Prevention of Crime	Ss. 1 (1), 2, 6 (1) (2) am.; Part I. appl.; s. 6 (2) rep. in part.	58, ss. 11, 44, Sch. IV.
c. 60	Constabulary (I.)	Ss. 1, 6, Sch. rep.	54, s. 7, Sch. IV.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 4 & 5 Geo. 5.
8 Edw. 7. :			
c. 64	Agricultural Holdings (S.) -	S. 11 and Rules in Sch. II. (except rules 10, 16) appl.	43, s. 5 (2).
		S. 13, Sch. II. applied - -	46, s. 29 (2) (4).
c. 67	Children - - - -	S. 30 ext. and rep. in part -	58, ss. 28 (2), 44, Sch. IV.
c. 68	Port of London - - -	Ss. 18, 19 amended - -	xviii.
10 Edw. 7. & 1 Geo. 5. :			
c. 8	Finance - - - - -	Ss. 4, 68. 69 (2) am. ; s. 67 rep. ; s. 69 rep. in part ; ss. 54, Sch. II. rep. (as to persons dying after Aug. 15, 1914).	10. ss. 7, 8, 17, 18, Sch. II.
c. 30	Landlord and Tenant (S.) -	Restricted - - - -	43, s. 5 (2).
1 & 2 Geo. 5. :			
c. 2	Revenue - - - -	S. 11 repealed - - -	10, s. 18, Sch. II.
c. 50	Coal Mines - - - -	S. 11 ext. ; ss. 42 (2), 70, 114 am.	22, ss. 1, 3, Sch.
c. 55	National Insurance - -	Part II. am. ; ss. 85 (6), 86, 88 (1) (*b*), 89 (2), 95, 101 (2) (5), 103–107, Schs. VII., VIII. am. ; s. 88 ext. and appl. ; ss. 94, 96 rep. ; s. 103 expl.	57.
		S. 46 extended temp. - -	81.
2 & 3 Geo. 5. c. 12	Elementary School Teachers	Amended temp. - - -	66.
3 & 4 Geo. 5. c. 34	Bankruptcy - - - -	Ss. 1–26 (except ss. 15, 18 (1) in part) rep. ; s. 42, Schs. I., II. rep. in part.	59, s. 168, Sch. VI.
		Ss. 27–41 rep. ; s. 42, Sch. II. rep. in part.	47, s. 31, Sch.
4 & 5 Geo. 5. :			
c. 11	Currency and Bank Notes -	Amended - - - -	72.
c. 27	Patents, Designs, &c. - -	Amended - - - -	73.
c. 34	Police - - - - -	Applied ; s. 1 (2) am. - -	80, ss. 1, 2 (1).
c. 51	Unreasonable Withholding of Food Supplies.	Repealed - - - -	65, s. 4 (3).
c. 52	Housing - - - -	S. 3 (3) rep. - - - -	71, s. 1 (2).

TABLE IV.

A LIST

OF

THE LOCAL AND PRIVATE ACTS,

(4 & 5 Geo. 5. 1914.)

ARRANGED IN CLASSES.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.
- (1) Bridges.
- (2) Ferries.
- (3) Roads.
- (4) Subways and Tunnels.

" II.—Railways, Tramroads and Tramways.
- (1) Railways.
- (2) Tramroads and Tramways.
- (3) Light Railways.

" III.—Canals, Rivers and Navigations.

" IV.—Harbours, Docks, Ports, Piers and Quays.

" V.—Local Government (including Judicial Matters, Poor Law and Public Health).

" VI.—Lighting, Power and Heating.
- (1) Gas.
- (2) Electricity.

" VII.—Water Supply.

" VIII.—Drainages and Drainage Embankments.

" IX.—Inclosures, Open Spaces, &c.
- (1) Inclosures and Allotments.
- (2) Open Spaces, Commons and Parks.

" X.—Fisheries.

" XI.—Charitable and Educational, &c., Foundations and Institutions.

Class XII.—Ecclesiastical Affairs (including Tithes and Marriage Confirmation).

„ XIII.—Personal and Private (including Estates).

(1) Annuities and Grants of Money.
(2) Divorce.
(3) Estates.
(4) Names, Change of.
(5) Naturalization.
(6) Patents.
(7) Restoration of Dignities.
(8) Miscellaneous.

„ XIV.—Trading and other Companies.

(1) Banking and Investment.
(2) Cemetery.
(3) Insurance.
(4) Land and Building.
(5) Miscellaneous.

„ XV.—Crown.

„ XVI.—Provisional Orders Confirmation.

Note.—In this Table, words, printed in *italics*, following the Title, are added to explain the principal purposes of the Act; where none are added, and the Title itself conveys no explanation, the Act may be considered as one giving General Powers.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.

(1) *Bridges:*

Glasgow (Tramways, Bridges, &c.). c. clxviii.
Newport Corporation (*Power to reconstruct Newport Bridge*). c. lxxxviii.
Weymouth and Melcombe Regis Corporation (*Power to widen, &c. Weymouth Bridge*). c. clxxiv.

(2) *Ferries:*

Birkenhead Corporation (*Power to deliver goods conveyed by ferry boats*). c. lxxxvi., s. 9.
Poole Harbour (*Purchase and establishment of ferries*). c. clv.

(3) *Roads:*

Middlesbrough Corporation (*Toll roads to become highways, &c.*). c. cv.
Middlesex County Council (Great West Road and Finance). c. xcviii.

(4) *Subways and Tunnels:*

Central London Railway (*New Subways*). c. xxxii.
London Electric Railway (*New Subways*). c. xxx.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (11).]

Class II.—Railways, Tramroads and Tramways.

(1) *Railways:*

Alexandra (Newport and South Wales) Docks and Railway (*Substituted railways. Additional lands. Extension of time, &c.*). c. cxlviii.

Beira Railway Company (*Adjustments in accounts. As to redemption of 4½ per cent. debentures, &c.*). c. lxxxix.

Bengal and North Western Railway Company, Limited (*Redemption of capital*). c. viii.

Brecon and Merthyr (*Additional lands and debenture stock. Agreement with Rhymney Railway Company as to running powers*). c. cliv.

Cardiff (*Extension of time. Removal of wrecks*). c. xvii.

Central London (*Enlargement of tunnels. New subways, &c.*). c. xxxii.

Deal and Walmer Gas and Electricity (*Power to construct railways*). c. lxxxiii.

Didcot, Newbury, and Southampton (*Transfer of arrears of debenture interest to capital*). c. xv.

Fishguard and Rosslare Railways and Harbours (*Abandonment of railways 2 and 3 authorised by Act of* 1908, *&c.*). c. ix.

Great Central (Pension Fund). c. clxv.

Great Northern. c. clvi.

Great Western. c. cvii.

Hull and Barnsley. c. lxxvii.

London, Brighton and South Coast. c. cii.

London Electric (*New subways. Additional lands and capital, &c.*). c. xxx.

Mansfield. c. xl.

Midland. c. cxliii.

Mold and Denbigh Junction (*New railway. Additional lands and debenture stock*). c. xxxi.

North Eastern. c. xcv.

Port Talbot Railway and Docks (*Power to extend piers and construct new entrance lock. Additional lands. Trespass, &c.*). c. xcix.

Railway Clearing System Superannuation Fund (*Increase of contributions, &c.*). c. xxxix.

Rhondda and Swansea Bay. c. xxxv.

Rhymney (*Extension of time*). c. xi.

South Suburban Gas (*Power to construct railway siding, &c.*). c. c.

South Western and Isle of Wight Junction (*Revival of powers and extension of time. Additional capital. Directors*). c. cxlv.

Taff Vale (*Extension of time*). c. xxii.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (11).]

(2) *Tramways and Tramroads:*

Belfast Corporation. (*Additional borrowing power for lands at Drumnadrough*). c. xxxviii.

Class II.—Railways, Tramroads and Tramways—*continued.*

(2) *Tramways and Tramroads* – continued.

Birmingham Corporation (*Additional tramways. Motor omnibuses, &c.*). c. cvi.
Bristol Corporation (Tramways). c. clxviii.
Chesterfield Corporation (*Additional tramways, &c.*). c. xvi.
Glasgow (Tramways, Bridges, &c.) c. clxii.
Leeds Corporation (*Additional tramways and trolley vehicle routes. Motor omnibuses*). c. cxli.
London County Council (Tramways and Improvements). c. cxlix.
London United Tramways (*Working agreements. Trailer carriages, &c.*). c. xcvii.
Manchester Corporation (*Extension of time for tramways. Omnibuses, &c.*). c. cxlvi.
Newcastle-upon-Tyne Corporation (*Additional tramways. Motor omnibuses, &c.*). c. clviii.
Newport Corporation (*Additional tramways. Motor omnibuses, &c.*). c. lxxxviii.
Norwich Electric Tramways (*Additional tramways, &c.*). c. lxxix.
Oxford and District Tramways (*Transfer to Corporation, cesser of powers and repeal of Acts. Provision of motor omnibuses, &c.*). c. clxxiii.
Preston Corporation (*Additional tramways. Motor omnibuses, &c.*). c. lxxii.
Reading Corporation (*Additional tramways. Trolley vehicles. Motor omnibuses*). c. ci.
Sheffield Corporation. (*Additional tramway. Motor omnibuses, &c.*). c. clxxxix.
Walsall Corporation (*Additional tramway. Trolley vehicles. Motor omnibuses*). c. clx.
York Corporation (*Trolley vehicles, Motor omnibuses, &c.*). c. clxxxviii.

[*For Acts confirming Provisional Orders under Private Legislation Procedure (Scotland) Act*, 1899, *and Tramways Act*, 1870, *see* Class XVI. (11), (15), (16).]

(3) *Light Railways:* Nil.

Class III.—Canals, Rivers and Navigations.

Aire and Calder Navigation. c. xxxiii.
North Eastern Railway (*Power to construct river wall or quay*). c. xcv.
Preston Corporation (*New training wall. Additional lands and borrowing power*). c. lxxii.
Rhondda and Swansea Bay Railway (*Diversion of River Avan, &c.*). c. xxxv.
Severn Navigation. c. xlii.
South Suburban Gas (*Power to construct wharf and jetty, &c.*). c. c.

Class III.—Canals, Rivers and Navigations—*continued.*

Stourbridge Navigation (*Amendment of tolls. Reduction of capital and subdivision of shares. Meetings, &c.*). c. xci.
Swindon Corporation (Wilts and Berks Canal Abandonment). c. cviii.
Upper Medway Navigation and Conservancy (*Further borrowing powers. Power to other bodies to contribute, &c.*). c. lxxxvii.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (11).]

Class IV.—Harbours, Docks, Ports, Piers and Quays.

Bristol Corporation (Various Powers) (*Power to construct wharf or quay*). c. xcvi.
Fishguard and Rosslare Railways and Harbours (*Additional harbour works, &c. Power to Great Western Company to subscribe*). c. ix.
Poole Harbour. c. clv.
Port of London (Amendment) (*of borrowing powers*). c. xviii.
Port Talbot Railway and Docks (*Power to extend piers and construct new entrance lock. Additional lands*). c. xcix.
Porthcawl Urban District Council (*Power to carry on harbour undertaking, &c.*). c. clxiii.
South Western and Isle of Wight Junction Railway (*Revival of powers and extension of time for construction of pier, &c.*). c. cxlv.
Weymouth and Melcombe Regis Corporation. c. clxxiv.

[*For Acts confirming Provisional Orders under General Pier and Harbour Act*, 1861, *and Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (5), (11).]

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health).

Abertillery and District Water Board (*Additional reservoir and borrowing power*). c. xxiv.
Ashington Urban District Council (*Power to supply gas. Power to borrow, &c.*). c. xxxiv.
Barnsley Corporation. c. xli.
Bedwas and Machen Urban District Council (*Lands. Power to supply gas, borrow money, &c.*). c. lxxv.
Belfast Corporation (*Additional borrowing power for lands at Drumnadrough*). c. xxxviii.
Birkenhead Corporation (*Motor omnibuses. Power to deliver goods conveyed by ferry boats. Additional borrowing powers, &c.*). c. lxxxvi.

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health)—*continued.*

Birmingham Corporation. c. cvi.
Bristol Corporation (Tramways). c. clxii.
Bristol Corporation (Various Powers). c. xcvi.
Chelsea Borough Council (Superannuation and Pensions). c. xii.
Chesterfield Corporation. c. xvi.
Chiswick Urban District Council (*Lands. Finance*). c. xiv.
City of London (Various Powers). c. clxix.
Cleckheaton Urban District Council. c. xx.
Crystal Palace (*Constitution, &c., of Trustees. Power to local authorities to contribute*). c. v.
East Ham Corporation. c. iii.
Ellesmere Port and Whitby Urban District Council. c. xciii.
Glasgow (Tramways, Bridges, &c.). c. clxviii.
Leeds Corporation (*Street improvements. Tramways, trolley vehicles and omnibuses. Additional lands and borrowing power*). c. cxli.
Llanfaelog Water (*Power to Valley Rural District Council to construct works and supply water, &c.*). c. xxxvi.
London County Council (Money). c. clxxii.
London County Council (Tramways and Improvements). c. cxlix.
Mablethorpe Urban District Council (*Vesting of Sandhills in Council, &c. Finance*). c. xxi.
Manchester Corporation. c. cxlvi.
Mexborough Urban District Council (*Transfer of undertaking of Water Company. Supply. Finance*). c. xliii.
Middlesbrough Corporation. c. cv.
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(*d*) *Public Health Act*, 1875 :

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4 & 5 GEORGE 5.—A.D. 1914.

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S.	,,	,,	Scotland exclusively.
I.	,,	,,	Ireland exclusively.
U.K.	,,	,,	Great Britain and Ireland (and Colonies, if it so extend).
Ind.	,,	,,	India specially.
C.	,,	,,	The Colonies specially, or any of them.

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